



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

### Usage guidelines

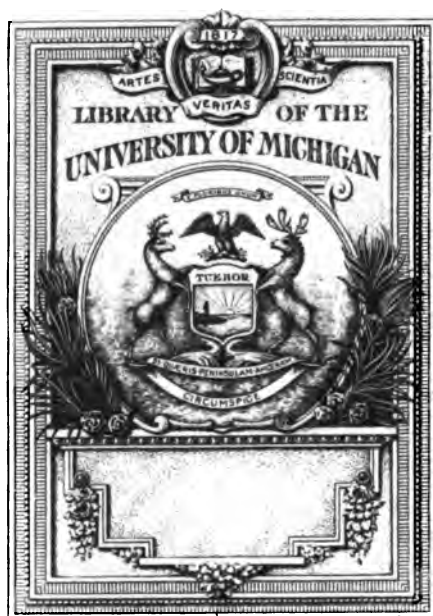
Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

### About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>





J  
87  
.m5c







7362



**JOURNAL**  
OF THE  
**HOUSE OF REPRESENTATIVES**  
OF THE  
**STATE OF MICHIGAN.**

**1869.**

Printed by virtue of an Act of the Legislature, under the direction and supervision of  
**NELSON B. JONES,**  
Clerk of the House of Representatives.

---

**PART II.**

---



**BY AUTHORITY.**

**LANSING:**  
**W. S. GEORGE & CO., PRINTERS TO THE STATE.**  
**1869.**



The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Ingersoll, unanimous consent being given, introduced

A bill for the establishment, endowment and support of the college of homeopathy.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Ingersoll, unanimous consent being given, introduced

Joint resolution to authorize the Governor to convey certain State lands to Henry A. Shaw, of Eaton county, as the grantee of Daniel J. Spencer.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Holt, unanimous consent being given, introduced

A bill to amend section one of an act entitled an act to authorize the several townships of the counties of Kent, Ottawa and Muskegon, to aid any railroad company now in existence, or that may hereafter be organized, in the construction of a railroad from the village of Muskegon to some convenient point on the Detroit and Milwaukee railroad, approved February 5, 1864.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Dusseau, unanimous consent being given, introduced

A bill to enable the township of Erie, county of Monroe, and State of Michigan, to issue bonds to aid in the building of a free stone or plank road, on the turnpike leading to Toledo, Ohio, from the north line of said township, to the Ohio State line.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Sanford, unanimous consent being given, introduced

A bill to change the name of Eva E. Strong to Rebecca Barnes, and constitute her heir-at-law of Henry S. Barnes and Sarah Barnes.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Walton, unanimous consent being given, introduced

A bill to repeal act No. 255, of the session laws of 1865, being an act to provide for a tax upon dogs.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Walton, unanimous consent being given, introduced

A bill to amend section 1, of act No. 153, of the session laws of 1861, being an act entitled "An act to incorporate the public schools of the city of Adrian," approved March 13, 1861.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Holt, unanimous consent being given, introduced

A bill to provide for laying out and establishing a State road from the village of Muskegon to the village of Fremont Centre, in Newaygo county, and for appropriating certain non-resident highway taxes therefor.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Stewart, unanimous consent being given, introduced

Joint resolution urging upon our Senators and Representatives in Congress the importance of securing a land or money grant, to aid in the construction of a railroad under the Detroit river.

The bill was read a first and second time by its title, and referred to the committee on federal relations.

Mr. Blake, unanimous consent being given, introduced

A bill to aid the county of Ottawa in draining swamps, marshes, and other low lands in said county.

The bill was read a first and second time by its title, and referred to the committee on drainage.

Mr. Crane, unanimous consent being given, introduced

A bill to change the name of James R. Fancher to James R. Witmar.



The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. F. G. Kendrick, unanimous consent being given, introduced

A bill to restore section 36, of township 1 north, range 12 east, to the township of Erie, in the county of Macomb, and to repeal act No. 172, of session laws of 1865, approved March 14, 1865.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

#### THIRD READING OF BILLS.

House bill No. 77, entitled

A bill to change the name of the plat and village of Millville, in the county of Muskegon, to Bluffton,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Hubbard,	Mr. Riopelle,
Avery,	Hunt,	Romeyn,
Baxter,	Hurlbut,	Rowlson,
Beall,	Hutchinson,	Sanford,
Blake,	L. Kendrick,	Seward,
Bostwick,	F. G. Kendrick,	Shaw,
Boynnton,	Kingsley,	Sheldon,
G. G. Briggs,	Klein,	Shier,
R. V. Briggs,	Lane,	Sickels,
Brownell,	Lee,	Slayton,
Cogshall,	Lovell,	Stannard,
Crane,	Mandigo,	Stewart,
Crossman,	Mason,	Stockbridge,
Curry,	McKernan,	Swift,
Davis,	Mead,	Thompson,
Doty,	Miles,	Walker,
Dusseau,	Miller,	Walton,
Eaton,	Millington,	Ward,
Eck,	Mitchell,	Wendell,
Elliott,	Murray,	Westover,
Fenner,	Newman,	White,
Gay,	Osborn,	H. G. Williams,
Goodrich,	Plimpton,	J. A. Williams,
Harris,	Purcell,	W. D. Williams,

Holt,  
Horton,Putnam,  
Riford,  
NAYS.Yawkey,  
Speaker, 78  
0

Title agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 76, entitled

A bill supplementary to an act entitled "An act to provide for the incorporation of lodges and encampments of the Independent Order of Odd Fellows," approved March 15, 1865, and to add two sections thereto,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Ingersoll,

The bill was laid on the table.

Senate bill No. 25, entitled

A bill to amend section 65, of chapter 58, of the revised statutes of 1846, entitled "of primary schools," being section 2308, of the compiled laws,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Walton moved to amend the bill by adding at the end of line 4, of recited section 65, the following: "*Provided*, A majority of the legal voters of said school district shall, at any annual or special meeting called for that purpose, so determine;"

Which was agreed to.

Mr. Sanford moved to reconsider the vote by which the above amendment was adopted;

Which motion prevailed.

Mr. Slayton moved to amend the amendment so that it should read: "*Provided*, A majority of the legal voters of said school district, present and voting at any annual meeting, or any special meeting called for that purpose, shall so determine;"

Which motion prevailed.

Mr. Ward moved as a substitute for the amendment, the following: "*Provided*, A majority of the electors present and voting at the annual meeting, do not, by a vote, direct the board otherwise;"

Which was not adopted.

The amendment, as amended, did not prevail.

Mr. Slayton moved to recommit the bill to the committee on education, with instructions to amend by inserting the amendment of Mr. Walton, as amended.

Mr. Ingersoll moved to amend by instructing the committee to amend the bill by inserting the substitute offered by Mr. Ward;

Which motion did not prevail.

The motion to recommit with instructions, did not prevail.

On motion of Mr. Slayton,

The bill was then recommitted to the committee on education.

Mr. Millington, by unanimous consent, moved to discharge the committee of the whole from the further consideration of Senate bill No. 27, entitled

A bill to reorganize the second and to create the fifteenth judicial circuit;

Which motion prevailed.

On motion of Mr. Huston,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Cameron moved to amend the bill by inserting after the word "that," in line 1, of section 2, the words "Van Buren be detached from the ninth judicial circuit, and the same with;"

Which was not agreed to.

Mr. Plimpton moved to amend the bill by striking out all of section 6, after the word "law," in the fifth line;

Which was not agreed to.

On motion of Mr. Plimpton,

The bill was laid on the table.

On motion of Mr. G. G. Briggs,

The House took a recess until 2 o'clock this afternoon.

---

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

By unanimous consent, Mr. Stockbridge offered the following:

*Resolved*, That the thanks of this House be and the same are hereby tendered to the mayor and common council of the city of Lansing, and also to the citizens thereof, for the elegant and bountiful entertainment provided for them on the evening of the anniversary of the birthday of Washington (February 22;)

Which was adopted.

Mr. McKernan asked and obtained leave of absence for the committee on geological survey, consisting of Messrs. McKernan, Mead, G. G. Briggs, Mandigo and Riopelle, for the afternoon.

SPECIAL ORDER.

On motion of Mr. Yawkey,

The House went into committee of the whole, on the special order,

Mr. Dusseau in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 145, entitled

A bill to enable any township or city to pledge their credit to aid in the construction of any railroad heretofore chartered or organized, or that may hereafter be chartered or organized, under and by virtue of the laws of the State of Michigan;

Have made sundry amendments thereto, and have directed

their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

VICTOR A. DUSSEAU, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. G. G. Briggs,

The House concurred in the amendments made to the bill by the committee, and the bill was placed on the order of third reading.

MESSAGE FROM THE SENATE.

By unanimous consent, the Speaker announced the following:

SENATE CHAMBER,  
*Lansing, Feb. 23, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 71, entitled

A bill to incorporate the village of Saranac, in Ionia county,

And to inform the House that the Senate has amended the same as follows:

1. By striking out the figures in section 8, wherever the sense is expressed by words;

2. By striking out in line 48, of section 7, the word "repaired," and inserting in place thereof the word "or;"

3. By striking out, in line 48 of section 8, the words "or allowed to stand or remain;"

4. By inserting after the word "days," in line 80, of section 8, the words "to provide a village jail in which it shall be lawful to confine persons arrested for violation of any village ordinance or by-law, until the conclusion of their trial, unless admitted to bail according to law;"

5. By striking out in line 2, of section 30, the word "county;" also, by striking out all after the word "treasurer," in same section, and inserting in place thereof the words "of said village, to be credited to the general fund;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Brownell moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Huston,	Mr. Shaw,
Avery,	Hutchinson,	Sheldon,
Baxter,	Ingersoll,	Shier,
Beall,	L. Kendrick,	Sickels,
Blake,	F. G. Kendrick,	Slayton,
Bostwick,	Kingsley,	Smith,
Boynton,	Klein,	Snell,
G. G. Briggs,	Lane,	Stannard,
R. V. Briggs,	Lee,	Stewart,
Brownell,	Lovell,	Stockbridge,
Cameron,	Mason,	Swift,
B. Clark,	McCowen,	Ternes,
O. Clark,	McKernan,	Thompson,
Cogshall,	Mead,	Wagner,
Crane,	Miles,	Walker,
Curry,	Miller,	Walton,
Doty,	Millington,	Ward,
Dusseau,	Mitchell,	Wendell,
Eck,	Murray,	Westover,
Elliott,	Newman,	White,
Fenner,	Osborn,	Wilcox,
Fuller,	Purcell,	H. G. Williams,
Gay,	Putnam,	J. A. Williams,
Goodrich,	Riford,	W. D. Williams,
Harris,	Riopelle,	Woodard,
Horton,	Romeyn,	Yawkey,
Hubbard,	Rowlson,	Speaker,
Hurlbut,	Seward,	

83

NAYS

U

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

On motion of Mr. Ingersoll,

The House adjourned until to-morrow morning at 9 o'clock.

---

*Lansing, Wednesday, February 24, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Bryant.

PRESENTATION OF PETITIONS.

By Mr. Baxter: petition of E. W. Freeze, H. W. Stevens and 36 others, asking for a division of the township of Tecumseh, and the formation of the township of Clinton from a part of the same;

Also: petition of A. W. Alvord and 34 others, citizens of Tecumseh, for the same purpose;

Also: petition of Danforth Keyes and 25 others, citizens of Tecumseh, for the same purpose.

Referred to the committee on towns and counties.

By Mr. Hurlbut: petition of C. J. Monroe, W. P. Bryan, D. P. Hall and 100 others, asking for the passage of a law to incorporate the village of South Haven.

Referred to the committee on banks and incorporations.

By Mr. Blake: petition of the mayor, alderman and other city officers of Grand Haven, and of E. P. Ferry, C. B. Albee, Dwight Cutler and 274 others, citizens of Grand Haven, for the passage of a bill authorizing the said city to aid the Detroit and Milwaukee railroad company to change the location of their depot from the west to the east side of Grand river.

Referred to the committee on internal improvements.

By Mr. Lane: petition of D. L. C. Eaton and 15 others, to detach territory from the city of East Saginaw, and attach the same to the township of Spaulding, in the county of Saginaw.

Referred to the committee on towns and counties.

By Mr. Cameron: petition of Charles E. Stewart and 22

others, citizens of Kalamazoo, praying for a charter of the city of Kalamazoo.

Referred to the committee on banks and incorporations.

By Mr. Woodard: remonstrance of Joseph Garwood and 100 others, against the passage of any act prohibiting the killing, in the spring, of any but the mallard duck, wood duck and teal duck.

Referred to the committee on State affairs.

By Mr. Davis: remonstrance of Chauncey Patterson, D. W. Bivins and 18 others, electors of Kent county, against amending the charter of Grand Rapids, allowing the aldermen of each ward to sit as members on the board of supervisors;

Also: Remonstrance of N. H. Gould and 52 others, citizens of Oakfield, Kent county, against the same;

Also: Remonstrance of H. C. Dennison, J. W. Webster and 73 others, citizens of Cascade, Kent county against the same;

Also: remonstrance of E. Davis, D. Devendorff and 57 others, citizens of Wyoming, Kent county, against the same;

Also: remonstrance of John Ashley, George Brown and 16 others, citizens of Oakfield, against the same;

Also: remonstrance of C. C. Miller, H. D. Pond and 13 others, voters of the township of Oakfield, against the same.

Referred to the committee on banks and incorporations.

By Mr. B. Clark: petition of C. Eslow and 9 others, taxpayers of Albion and Sheridan, county of Calhoun, to legalize the action of the school inspectors in said township, in the consolidation of certain school districts therein.

Referred to the committee on education.

By Mr. Fuller: petition of E. O. Rose, C. Gay, D. F. Wooley and 92 others, praying for the incorporation of the city of Big Rapids, in Mecosta county.

Referred to the committee on banks and incorporations.

By Mr. Fuller: petition of M. W. Westfall and 40 others, citizens of Chase, Lake county, praying that said township be attached to Osceola county.

Referred to the committee on towns and counties.



By Mr. Huston: petition of Charles Montague, Wm. S. Sherman and 57 others, citizens of Cora, Tuscola county, asking for a State road from Lapeer, via Caro, to Bay City, and an appropriation of swamp land for the same.

Referred to the committee on public lands.

By Mr. Holt: petition of Chauncey Davis and 118 others, citizens of the village of Muskegon, praying for the passage of a bill incorporating the city of Muskegon.

Referred to the committee on banks and incorporations.

By Mr. Newman: petition of Jacob Crum and 30 others, for the location of a State road in Isabella county.

Referred to the committee on roads and bridges.

By Mr. Murray: remonstrance of Ben. F. Woodman and 47 others, voters of Kent county, against amending the charter of the city of Grand Rapids so as to allow the aldermen of each ward to sit as members on the board of supervisors;

Also: remonstrance of S. M. Garfield and 209 others, citizens of Kent county, against the same.

Referred to the committee on banks and incorporations.

By Mr. Mandigo: petition of G. G. DePay, T. C. Clapp and 60 others, praying the village of White Pigeon may be incorporated.

Referred to the committee on banks and incorporations.

By Mr. Mandigo: petition of school officers, asking for an alteration in the board of school district No. 5, township of Burr Oak.

Referred to the committee on education.

By Mr. Hunt: petition of the citizens of Delhi, asking the legalization of a tax for the purpose of digging a ditch in said township.

Referred to the committee on drainage.

By Mr. Ingersoll: petition of H. McCurdy, L. D. Phelps and 32 others, citizens of Corunna, and 35 citizens of Owosso, asking for the establishment of a State road, and for the appointment of a commissioner to locate the same.

Referred to the committee on roads and bridges.

By Mr. Eaton: remonstrance of B. Porter and 135 others, against extending the limits of the city of Jackson.

Referred to the committee on banks and incorporations.

By Mr. R. V. Briggs: petition of James Hintzen, H. F. Riopelle and 42 others, asking that the rights and franchises of the Detroit river plank road company be declared forfeited.

Referred to the special committee on said road.

By Mr. Walker: petition of David E. Earls, A. V. Monroe and 113 others, citizens of Kalamazoo and Allegan counties, praying for the abatement, in whole or in part, of a nuisance, known as the Kalamazoo and Grand Rapids plank road company.

Referred to the committee on banks and incorporations.

By Mr. McKernan: memorial of James H. Kernin and 60 others, citizens of Houghton county, asking that the Upper Peninsula of Michigan be ceded to the General Government, for the purpose of creating a territory therefrom;

Also: memorial of T. W. Edwards, Frank Hohn and 60 others, citizens of Houghton county, for the same purpose;

Also: memorial of D. S. Kendall and 697 others, citizens of Houghton county, for the same purpose.

On motion of Mr. McKernan,

The memorials were referred to the committee on federal relations, and a copy of one of them was ordered printed in the journal.

The following is the memorial:

*To the Honorable Senate and House of Representatives of the State of Michigan:*

Your memorialists, citizens of the counties of Houghton, Keweenaw, Ontonagon, Marquette, Delta, Menominee, Chippewa and Mackinac, comprising what is known as the Upper Peninsula of Michigan, respectfully submit to your Honorable bodies:

That for many cogent reasons, part of which are set forth in this, their memorial, they most earnestly desire that the said Upper Peninsula of Michigan be set off from the rest of the

State, ceded to the general government, to be erected, together with such portion of the State of Wisconsin bordering on Lake Superior, as has been ceded by that State for that purpose, into a Territory of the United States, to be called the Territory of Superior.

Your memorialists are informed that the State of Wisconsin has heretofore, by joint resolution of her Legislature, assented to the formation of this Territory, and ceded a portion of her area for the purpose above set forth.

Should their prayer be granted, your memorialists hope and confidently anticipate that the Territory would, at the end of a few years, become the State of Superior.

Your memorialists show that the Upper Peninsula of Michigan contains an area of sixteen thousand three hundred and forty-four (16,344) square miles, comprising within its limits four hundred and fifty-four (454) surveyed townships—a domain equal in size to the combined States of Massachusetts, Connecticut, Delaware and Rhode Island, or to the combined States of New Hampshire and New Jersey, and they submit, is quite sufficient in extent, at least, to form a sovereign State, without the territory hitherto offered by the State of Wisconsin.

Your memorialists estimate the present population of this portion of the State at fifty thousand (50,000) persons.

The principal branches of industry are mining for copper and iron, lumbering and fishing.

The amount of capital now invested in copper mining alone has been carefully estimated at fifty millions (50,000,000) of dollars, and the value of the copper product for the eight years ending with 1867, was forty-six millions (46,000,000) of dollars, the value of the product of 1867 alone being four and a half millions (4,500,000) of dollars.

That invested in mining for iron, in the county of Marquette, is about twelve millions two hundred and ten thousand (12,210,000) dollars, and the value of the product for the eight years ending with 1867, is fifteen millions six hundred and

ninety-six thousand one hundred and two (15,696,102) dollars, the value of the product in 1867 alone being \$3,500,000.

In lumbering, the returns for the year 1867 were about one and a half millions (1,500,000) of dollars.

In fishing, the returns for the same year were about three hundred thousand (300,000) dollars.

In farming (the produce consisting almost entirely of potatoes and hay) the returns for the same year were about two hundred and ten thousand (210,000) dollars.

These statements are believed to be nearly accurate, and they do not embrace the immense capital invested in other pursuits, (mercantile, manufacturing, building, etc.,) incidental to and dependent upon those above given.

In addition, your memorialists would call attention to the undeveloped, but certain, resources of the country; to the miles of copper-bearing belts in the counties of Houghton, Keweenaw and Ontonagon; to the square miles of iron lands in the counties of Marquette, Menominee and Houghton, as yet entirely unwrought, but, beyond question, as rich as the parts already developed; to the vast forests of pine and other valuable timber, so little of which has been cut down and manufactured that they may almost be said to be untouched; and to the almost wholly undeveloped agricultural and fishing resources.

The coast line of the Upper Peninsula on Lakes Superior and Michigan extends a distance of at least eight hundred miles.

Your memorialists would call attention to the fact that the Upper Peninsula, geographically considered, is not a part of the State of Michigan, but a mere outlying dependency thereof; that its principal branches of industry, namely: mining for copper, iron and other metals, are entirely different from those of the rest of the State, and require a distinct and peculiar kind of legislation to foster and encourage them; that, although it contains within itself the elements of a rich and flourishing State of the first class, yet, for six months of the year, and that, too, at a time when the Legislature of the State is in session, enacting the laws under which we live, its inhabitants cannot

approach the State Capital without passing through the entire State of Wisconsin, and a large portion of the States of Illinois and Indiana, a distance estimated at nine hundred (900) miles. The shortest line of communication, in the summer months, with the lower part of the State, is from four hundred (400) to seven hundred (700) miles. This distance renders the public institutions of the State (all, without exception, situated in the Lower Peninsula) practically inaccessible to us, by reason of the expense and time necessary to reach them. The State University, the State Normal School, the Agricultural College, the executive, legislative and financial offices of the State, the Asylums for the Deaf, Dumb, Blind and Insane, the Reform School and State Prison, can only be reached by an expensive journey of one thousand (1,000) miles.

Your memorialists have learned to believe that among the objects sought to be obtained by the organization and maintenance of State governments, the only worthy ones are protection to the lives, property and happiness of its people, and encouragement in the way of wise and liberal laws to its chief sources of wealth and growth. The Upper Peninsula now pays a State tax of about thirty thousand (\$30,000) dollars, equal to the entire State tax of Michigan for the year 1854, thus aiding to defray the expenses of the State government in all its branches, the charitable, educational, reformatory and penal institutions of the State, all far removed from us; under these circumstances, your memorialists submit that the State of Michigan does not, and, from the nature of the case, cannot, as to them, carry out the purposes for which it was formed.

They believe that in the Territory of Superior, in due course of time formed into a State, all of these institutions would be endowed and set in operation, immigration would flow in more rapidly than now, the number of mines would vastly increase, our other resources be more quickly developed, and the new State of Superior would in time be inferior to no other in wealth and material importance.

Your memorialists call attention to the fact that the sole return obtained by them for the very large State tax they pay, (excluding those privileges which cost so much more than they are worth as to be useless,) is the salary of two circuit judges.

Your memorialists neither assert nor believe that the State of Michigan has done them any intentional injustice, but that this condition of things necessarily springs from their isolated position and peculiar interests. In all candor they believe that the separation would be as beneficial to the Lower as to the Upper Peninsula. State lines offer no obstacle to the progress of trade, and the division would be soon followed by a marked increase of profitable intercourse between the two peoples.

A separate Territorial or State existence would enable us to obtain from the United States what we so much need, namely, appropriations of lands or money to assist in building our railroads, to improve our harbors, upon which assistance we have now no claim commensurate with our necessities, or such as we should have were we organized into a separate Territory.

Lastly, your memorialists take this occasion to say that they are men of all parties and of no party; that they make this request from a conviction that the material prosperity of the country wherein they have cast their lot will be greatly enhanced by its allowance, and they trust that the reasons which they have herein briefly and imperfectly urged, together with the unanimity of the request, may prevail upon your Honorable bodies to grant what they believe will prove a blessing to both givers and recipients; and your memorialists will ever pray, &c.

#### REPORTS OF STANDING COMMITTEES.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred

Joint resolution to forfeit the lands of the Marquette and Ontonagon railroad company, and to confer the same upon some other company,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to

the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

R. B. SMITH, *Chairman*.

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred

A bill to amend act No. 286, session laws of 1865, entitled "An act to authorize any of the townships and cities in the counties of St. Clair, Lapeer, Genesee and Shiawassee, to pledge their credit in aid of the construction of a railroad from Port Haron, in the county of St. Clair, to some point on the line of the Detroit & Milwaukee railroad, in Shiawassee county;"

Also,

A bill to authorize townships or cities in the counties of Allegan, Van Buren and Barry, to vote aid to railroads,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

R. B. SMITH, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Miles,

The bills were ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to repeal paragraph of section one, of act No. 117, of the session laws of 1859, being an act entitled "an act providing for the drainage and reclamation of swamp lands, by means of State roads and ditches," (providing for the laying out and establishing of a State road, known as the Marquette and Bay de Noc State road,) approved February 12, 1859,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for laying out and establishing a State road in the counties of Macomb and St. Clair,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, recommending that the bill be referred to the committee on local taxation, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. G. G. Briggs,

The recommendation of the committee was concurred in, and the bill referred to the committee on local taxation.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to repeal paragraph 20, of act No. 217, of the session laws of 1861, approved March 15, 1861, and the act amendatory thereof, approved March 14, 1865,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.





By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to authorize the village of Portsmouth to vote aid for the purpose of building a bridge across Saginaw river,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. J. A. Williams,

The bill was laid on the table.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill appropriating certain non-resident highway taxes for the improvement of the Ovid and St. Charles State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following:

Joint resolution asking Senators and Representatives in Congress from Michigan, to urge the speedy erection of a light-house at the mouth of the Manistee river, in the county of Manistee;

Also,

A bill to incorporate the village of Stanton;

Also,

A bill to amend sections 1, 7 and 26, of an act to revise the charter of the village of Hastings, approved March 22, 1867;

Also,

A bill to amend an act entitled "An act to extend aid to the University of Michigan."

E. M. MASON, *Chairman.*

Report accepted.

By the committee on education:

The committee on education, to whom was recommitted Senate bill No. 25, being

A bill to amend section 65, of chapter 58, of revised statutes of 1846, entitled "Of primary schools," being section 2308 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Walker,

The House concurred in the amendment made to the bill by the committee.

The bill having been read a third time, and the question being upon its passage,

It was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Horton,	Mr. Seward
Avery,	Hunt,	Shaw,
Baxter,	Hurlbut,	Sheldon,
Beall,	Huston,	Shier,
Bostwick,	Hutchinson,	Sickels,
Boynton,	Ingersoll,	Slayton,
G. G. Briggs,	Jewell,	Smith,

R. V. Briggs,	L. Kendrick,	Snell,
Brownell,	F. G. Kendrick,	Stewart,
Cameron,	Kingsley,	Stockbridge,
B. Clark,	Klein,	Swift,
O. Clark,	Lane,	Thompson,
Cogshall,	Lee,	Vowles,
Crane,	Mandigo,	Wagner,
Crossman,	Mason,	Walker,
Doty,	McCowan,	Walton,
Dusseau,	McKernan,	Wendell,
Eck,	Mead,	Westover,
Fenner,	Miller,	White,
Fuller,	Millington,	Wilcox,
Gay,	Mitchell,	H. G. Williams,
Gifford,	Osborn,	J. A. Williams,
Goodrich,	Putnam,	W. D. Williams,
Harris,	Riford,	Yawkey,
Hartson,	Rowlson,	Speaker,
Holt,		

76

## NAYS.

0

Mr. Curry,	Mr. Miles,	Mr. Romeyn,
Davis,	Murray,	Stannard,
Eaton,	Plimpton,	Ternes,
Elliott,	Purcell,	Ward,
Hubbard,	Riopelle,	Woodard,
Lovell,		

16

Title agreed to.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to enable the township of Erie, county of Monroe, and State of Michigan, to raise money by tax, and to issue its bonds to aid in the building of a free-stone or plank road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to authorize the township of Cambridge, in the county of Lenawee, to raise by tax, certain moneys for the relief of Andrew Ayres, the treasurer of said township,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend sections two, twelve and twenty-two, of act 519, of the session laws of 1867, entitled "An act to incorporate the village of Paw Paw,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

D. L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Crossman,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,  
Avery,  
Baxter,

Mr. Ingersoll,  
L. Kendrick,  
F. G. Kendrick,

Mr. Sheldon,  
Shier,  
Sickels,

Beall,	Klein,	Slayton,
Blake,	Lane,	Smith,
Bostwick,	Lee,	Snell,
Boynnton,	Lovell,	Stannard,
Brownell,	Mandigo,	Stewart,
Cameron,	McCowan,	Stockbridge,
B. Clark,	McKernan,	Swift,
O. Clark,	Mead,	Ternes,
Cogahall,	Miles,	Thompson,
Crane,	Miller,	Vowles,
Crossman,	Millington,	Wagner,
Davis,	Mitchell,	Walker,
Doty,	Murray,	Walton,
Dusseau,	Newman,	Ward,
Eck,	Osborn,	Wendell,
Fenner,	Purcell,	Westover,
Fuller,	Putnam,	White,
Gay,	Riford,	Wilcox,
Gifford,	Riopelle,	H. G. Williams,
Goodrich,	Romeyn,	J. A. Williams,
Harris,	Rowson,	W. D. Williams,
Hartson,	Seward,	Yawkey,
Horton,	Shaw,	Speaker,
Hubbard,		

79

NAYS.

0

Title agreed to.

On motion of Mr. Crossman,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to revise the charter of the village of Wenona;

Together with certain petitions asking the passage of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

D. L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lovell,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 55, being

A bill to incorporate the village of Burlington,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

D. L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hutchinson,

The House concurred in the amendment made to the bill by the committee.

On motion of Mr. Hutchinson,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on the Reform School:

The committee on the Reform School, to whom was referred

A bill to amend section 10, of act 180, of the session laws of 1867, relative to admitting juvenile offenders to the Reform School,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. B. WARD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on mines and minerals:

The committee on mines and minerals, to whom was referred

A bill to amend section 5 of an act approved March 23, 1867, entitled an act to amend sections 5, 10 and 22, of an act entitled "an act to authorize the formation of corporations for mining, smelting, or manufacturing iron, copper, mineral coal, silver, or other ores or minerals, and for other manufacturing purposes," approved February 5th, 1853, being sections 1802, 1808 and 1822, of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

H. G. WILLIAMS, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred the petition of W. W. Wheaton, mayor of the city of Detroit, Hon. M. I. Mills and 30 others, citizens of Detroit, asking an appropriation for the benefit of the St. Mary's Hospital, of Detroit,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that it be referred to the committee on religious and benevolent societies, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman*.

On motion of Mr. Cogshall,

The recommendation of the committee was concurred in, and the petition was referred to the committee on religious and benevolent societies.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

Joint resolution proposing an amendment to section 1, article 11, of the constitution of Michigan, in relation to altering the time for holding township meetings;

Also: the petition of H. P. Cherry, Wm. P. Bristol and 50 others, citizens of Johnstown, relative to the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the joint resolution do not pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brownell,

The joint resolution and petition were laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend an act entitled "an act to revise the charter of the city of Flint," approved March 20, 1867;

Also: the petition of H. R. Lovell, Wm. Patterson and 100 others, tax-payers of said city, asking for the passage of said bill,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred



A bill to incorporate the village of Lisbon, in Kent and Ottawa counties;

Also: the petition of J. B. Stone, Chas. C. Eddy and 17 others, citizens of said village, asking for a village charter,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Miles,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 62, entitled

A bill to incorporate the village of Orion,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Vowles,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of Portland, in Ionia county;

Also: the petition of G. W Porter and 68 others, citizens of said village, asking for the passage of said bill,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Smith,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend section two of an act entitled "An act to incorporate the Grand Lodge of Free and Accepted Masons of the State of Michigan," approved April 2, 1849,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to attach certain unorganized territory to the county of Iosco,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

#### REPORTS OF SELECT COMMITTEES.

*To the Hon. House of Representatives of the State of Michigan:*

Your special committee, to whom was referred a resolution to inquire by what right and authority the Detroit River Plank Road Company keep and maintain a toll-gate, and collect toll on said road,

Have had the same under consideration, and find, by examination, that the said plank road company was organized under the general laws of this State, in the year 1852, for the purpose of constructing a plank road from the city of Detroit to Fort Wayne, in the county of Wayne, which they agreed to maintain and keep in good repair for public use.

Your committee also find that the directors of said company have failed to make any report to the Auditor General since the year 1857, which report they are required to make annually, according to section 39, on page 620, of the compiled laws.

We also find, by examining several statements, that the said road has not been kept up according to the requirements of the law, and that the collecting of toll thereon is an imposition upon the inhabitants of Springwells, Ecorse, and all others traveling said road. There is, as appears upon said statements, about five rods of plank, which is inside the limits of the city of Detroit. There is, also, about three-quarters of a mile which has been turnpiked by the citizens of the township,

before the company took possession thereof, and when that gets run over with rut holes, it is filled up with surface loam. The next quarter of a mile—the side the citizens should travel on, is taken up by the street railway company, and the grade along side the street railway track is of a light, loamy and springy soil, without gravel, so that in wet seasons it is difficult for teams to pass with ease and safety. The balance of the road, about half a mile, is of a concave shape, with neither turnpike, ditches nor gravel, so that it is, in wet weather, always difficult to pass.

Therefore, your committee would ask leave to introduce the following:

*Whereas*, The Detroit River Plank Road Company has failed to comply with the requirements of law, and has not kept their road (which is only about two miles in length,) in a passable condition;

*And, whereas*, The directors of said company have failed to make any report or returns to the Auditor General since 1857, which they are required to do by section 39; page 620, of the compiled laws; therefore, be it

*Resolved*, (the Senate concurring,) That the rights and franchises of the Detroit River Plank Road Company be and are hereby declared forfeited.

PETER TERNES, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Ternes,

The rule requiring a concurrent resolution to lie on the table one day, was suspended.

Mr. Miles moved that the resolution be referred to the committee on the judiciary.

Mr. Mead moved that the resolution be laid on the table; Which motion did not prevail.

The motion to refer the resolution to the committee on the judiciary then prevailed.

Mr. Blake, by unanimous consent, moved to discharge the

committee of whole from the further consideration of House manuscript bill, entitled

A bill to extend the time for the collection of certain drain taxes in the township of Zeeland, in the county of Ottawa;

Which motion prevailed.

On motion of Mr. Blake,

The bill was placed on the order of third reading.

Mr. McKernan moved to discharge the committee of whole from the further consideration of House manuscript bill, entitled

A bill to legalize the tax roll of Sibley township, in the county of Keweenaw, for the year 1868, and to extend the time for the collection of taxes in the same;

Which motion prevailed.

On motion of Mr. McKernan,

The bill was placed on the order of third reading.

Mr. Walker moved to discharge the committee of the whole from the further consideration of Senate bill No. 60, entitled

A bill to reincorporate the village of Schoolcraft;

Which motion prevailed.

On motion of Mr. Walker,

The bill was placed on the order of third reading.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
Lansing, Feb. 23, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following joint resolution:

House joint resolution No. 9, entitled

Joint resolution requesting our members of Congress to use their influence in procuring the passage of an act granting the right of way and aid to the State of Michigan, for the purpose of aiding in building a railroad from the shore of Green Bay, or Bay de Noc, to the iron district in Menominee county,

And to inform the House that the Senate has amended the same by adding the following proviso at the end of the first resolution:

"*Provided*, That if the aid asked shall be granted in the form of an appropriation of lands, said lands shall not be taken out of market, but shall be held subject to sale, and the proceeds thereof held as a fund in trust, to be applied in aid of said railroad;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Baxter moved that the House concur in the amendment made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Hubbard,	Mr. Seward,
Avery,	Hutchinson,	Shaw,
Baxter,	Ingersoll,	Sheldon,
Beall,	Jewell,	Shier,
Blake,	L. Kendrick,	Slayton,
Bostwick,	F. G. Kendrick,	Smith,
Bynnton,	Kingsley,	Snell,
Brownell,	Klein,	Stannard,
Cameron,	Lane,	Stewart,
B. Clark,	Lee,	Stockbridge,
Cogshall,	Mandigo,	Swift,
Crane,	McCowen,	Ternes,
Crossman,	McKernan,	Thompson,
Curry,	Mead,	Vowles,
Doty,	Miles,	Wagner,
Dusseau,	Miller,	Walker,
Eaton,	Millington,	Walton,
Eck,	Mitchell,	Ward,
Elliott,	Murray,	Wendell,
Fenner,	Newman,	Westover,
Fuller,	Osborn,	White,
Gay,	Plimpton,	Wilcox,
Gifford,	Purcell,	J. A. Williams,
Goodrich,	Putnam,	W. D. Williams,
Harris,	Riford,	Woodard,
Hartson,	Riopelle,	Yawkey,
Holt,	Romeyn,	Speaker,
Horton,	Rowlson,	

NAYS.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, Feb. 23, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 16, entitled

A bill making guaranties of promissory notes negotiable, and providing that they shall pass to the holders of such notes,

And to inform the House that the Senate has amended the same, by adding at the end of section 1, the following words: "subject to all the equities existing between the guarantor and the person to whom such guaranty was made;"

In the passage of which, as thus amended, the Senate has concurred, by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Mead moved that the House concur in the amendment made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Hurlbut,	Mr. Seward,
Avery,	Huston,	Shaw,
Baxter,	Hutchinson,	Sheldon,
Beall,	Ingersoll,	Shier,
Blake,	Jewell,	Slayton,
Bostwick,	L. Kendrick,	Smith,
G. G. Briggs,	F. G. Kendrick,	Snell,
R. V. Briggs,	Kingsley,	Stannard,
Brownell,	Klein,	Stewart,
Cameron,	Lane,	Stockbridge,
B. Clark,	Lee,	Swift,
Cogshall,	Mandigo,	Ternes,
Crane,	McCowen,	Thompson,
Curry,	McKernan,	Vowles,
Davis,	Mead,	Wagner,

Doty,	Miles,	Walker,
Eaton,	Miller,	Walton,
Eck,	Millington,	Ward,
Elliott,	Mitchell,	Wendell,
Fenner,	Murray,	Westover,
Fuller,	Newman,	White,
Gay,	Osborn,	Wilcox,
Gifford,	Plimpton,	H. G. Williams,
Goodrich,	Purcell,	J. A. Williams,
Harris,	Putnam,	W. D. Williams,
Hartson,	Riford,	Woodard,
Holt,	Riopelle,	Yawkey,
Horton,	Romeyn,	Speaker,
Hubbard,	Rowison,	
	NAYS.	86

Mr. Dusseau,

1

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Feb. 23, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 77, entitled

A bill to amend section 8 of an act to provide for the incorporation of Masonic lodges, as amended by an act approved March 27, 1867;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on State affairs.

The Speaker also announced the following:



SENATE CHAMBER, }  
 Lansing, Feb. 23, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 84, entitled

A bill to enable the Jackson, Lansing and Saginaw railroad company to change the northern terminus of its railroad to some point on Lake Superior, without prejudice to its rights,

And to inform the House that the Senate has amended the same by adding at the end thereof the words "and to prescribe the time for the completion of the said road;"

In the passage of which as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. McKernan moved that the House concur in the amendment made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Harris,	Mr. Riopelle,
Avery,	Hartson,	Romeyn,
Baxter,	Holt,	Rowlson,
Beall,	Hubbard,	Seward,
Blake,	Hurlbut,	Shaw,
Rostwick,	Hutinson,	Sheldon,
Boynton,	Ingersoll,	Slayton,
G. G. Briggs,	Jewell,	Smith,
R. V. Briggs,	F. G. Kendrick,	Snell,
Brownell,	Kingalev,	Stannard,
Cameron,	Klein,	Stewart,
B. Clark,	Lane,	Stockbridge,
O. Clark,	Lee,	Swift,
Cogshall,	Mandigo,	Thompson,
Crane,	McCowen,	Vowles,
Crossman,	McKernan,	Wagner,
Curry,	Mead,	Walker,
Davis,	Miles,	Walton,
Doty,	Miller,	Ward,
Dusseau,	Millington,	Wendell,

Eaton,	Murray,	White,
Eck,	Newman,	Wilcox,
Elliott,	Osborn,	J. A. Williams,
Fenner,	Plimpton,	W. D. Williams,
Fuller,	Purcell,	Woodard,
Gay,	Putnam,	Yawkey,
Gifford,	Riford,	Speaker,
Goodrich,		82

NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Feb. 23, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House bill No. 58, entitled

A bill to amend an act entitled "An act to incorporate the village of Howell," approved March 14th, 1863, and to add thereto one new section;

2. House bill No. 72, entitled

A bill to incorporate the city of Corunna;

3. House bill No. 89, entitled

A bill to define the boundaries of certain school districts in the township of Ishpeming, in the county of Marquette;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The several named bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Feb. 23, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 45, entitled

A bill to amend section 7, of act No. 356, of laws of 1865, being an act to authorize the formation of corporations for literary and scientific purposes, approved March 21, 1865;

In the passage of which the Senate has concurred, by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,  
*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Feb. 23, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate manuscript bill, entitled

A bill to amend section 2 of an act for collecting taxes in the city of Monroe;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,  
*Secretary of the Senate.*

The bill was read a first and second time by its title, and

On motion of Mr. Dusseau,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Avery,	Mr. Hartson,	Mr. Riopelle,
Baxter,	Holt,	Romeyn,
Beall,	Horton,	Rowlson,
Blake,	Hubbard,	Seward,
Bostwick,	Hurlbut,	Shaw,
Boynton,	Hutchinson,	Sheldon,
G. G. Briggs,	Ingersoll,	Slayton,
R. V. Briggs,	Jewell,	Smith,
Brownell,	L. Kendrick,	Snell,
Cameron,	F. G. Kendrick,	Stannard,
B. Clark,	Kingley,	Stewart,
O. Clark,	Klein,	Stockbridge,
Cogshall,	Lane,	Swift,
Crane,	Lee,	Ternes,
Crossman,	Mandigo,	Vowles,
Curry,	McCowen,	Wagner,
Davis,	McKernan,	Walker,
Doty,	Mead,	Walton,
Dusseau,	Miller,	Wendell,
Eaton,	Millington,	Westever,
Eck,	Mitchell,	White,
Elliott,	Murray,	Wilcox,
Fenner,	Osborn,	J. A. Williams,
Fuller,	Plimpton,	W. D. Williams,
Gay,	Purcell,	Woodard,
Gifford,	Putnam,	Yawkey,
Goodrich,	Riford,	Speaker,
Harris,		

82

## NAYS.

0

Title agreed to.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, Feb. 24, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 68, entitled

A bill to revise the charter of the village of Allegan;

Which has passed the Senate by a majority vote of all the

Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and

On motion of Mr. Stockbridge,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

**YEAS.**

Mr. Avery,	Mr. Horton,	Mr. Riopelle,
Baxter,	Hubbard,	Romeyn,
Beall,	Hurlbut,	Rowson,
Blake,	Hutchinson,	Seward,
Bostwick,	Ingersoll,	Shaw,
G. G. Briggs,	Jewell,	Sheldon,
R. V. Briggs,	L. Kendrick,	Slayton,
Brownell,	F. G. Kendrick,	Snell,
Cameron,	Kingsley,	Stannard,
B. Clark,	Klein,	Stewart,
O. Clark,	Lane,	Stockbridge,
Cogshall,	Lee,	Swift,
Crane,	Mandigo,	Ternes,
Crossman,	McCowen,	Vowles,
Curry,	McKernan,	Walker,
Davis,	Mead,	Walton,
Doty,	Miller,	Ward,
Dussean,	Millington,	Westover,
Eaton,	Murray,	White,
Eek,	Newman,	Wilcox,
Fenner,	Osborn,	J. A. Williams,
Gay,	Plimpton,	W. D. Williams,
Goodrich,	Purcell,	Woodard,
Hartson,	Putnam,	Yawkey,
Holt,	Riford,	Speaker,

75-

**NAYS.**

0-

Title agreed to.

On motion of Mr. Stockbridge,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Feb. 24, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate manuscript bill, entitled

A bill to extend the time for the collection of taxes in the several wards in the city of Detroit;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and  
On motion of Mr Purcell,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Horton,	Mr. Riopelle,
Avery,	Hubbard,	Romeyn,
Beall,	Hurlbut,	Rowlson,
Blake,	Hutchinson,	Seward,
Bostwick,	Ingersoll,	Shaw,
G. G. Briggs,	Jewell,	Sheldon,
R. V. Briggs,	L. Kendrick,	Slayton,
Cameron,	F. G. Kendrick,	Snell,
B. Clark,	Kingsley,	Stannard,
O. Clark,	Klein,	Stewart,
Cogshall,	Lane,	Stockbridge,
Crane,	Lee,	Swift,

Crossman,	Mandigo,	Ternes,	
Curry,	McCowen,	Thompson,	
Davis,	McKernan,	Vowles,	
Doty,	Mead,	Wagner,	
Dussseau,	Miles,	Walker,	
Eaton,	Miller,	Walton,	
Eck,	Millington,	Ward,	
Elliott,	Mitchell,	White,	
Fenner,	Murray,	Wilcox,	
Fuller,	Newman,	J. A. Williams,	
Gay,	Osborn,	W. D. Williams,	
Goodrich,	Plimpton,	Woodard,	
Harris,	Purcell,	Yawkey,	
Hartson,	Putnam,	Speaker,	
Holt,	Riford,		80
	NAYS.		0

Title agreed to.

On motion of Mr. Purcell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

#### INTRODUCTION OF BILLS.

Mr. Fuller, unanimous consent being given, introduced

A bill to incorporate the city of Big Rapids.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Holt, unanimous consent being given, introduced

A bill to provide for a uniform assessment of property, and for the collection and return of taxes thereon.

The bill was read a first and second time, by its title, and referred to the committee on ways and means.

Mr. Mandigo, unanimous consent being given, introduced

A bill to incorporate the village of White Pigeon.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Holt, unanimous consent being given, introduced

A bill to incorporate the city of Muskegon.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Woodard, unanimous consent being given, introduced

A bill to amend chapter 68, of title 17, of the compiled laws, relating to religious societies.

The bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

Mr. Dusean, unanimous consent being given, introduced

A bill to protect furs in the county of Monroe.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Mitchell, unanimous consent being given, introduced

A bill to amend section 1, act 420, session laws of 1867, so as to delocalize certain swamp land appropriated for the purpose of building State roads.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Holt, unanimous consent being given, introduced

A bill to refund to the Michigan State Agricultural Society, moneys expended by said society in the erection of a building conveyed to the State of Michigan for the use of the Normal School.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Lane, unanimous consent being given, introduced

A bill to amend an act entitled "An act to revise and amend the charter of the city of Saginaw," approved February 5, 1859.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Lane, unanimous consent being given, introduced

A bill to detach certain territory from the city of East Saginaw, and annex the same to the township of Spaulding, in the county of Saginaw.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Lane, unanimous consent being given, introduced

A bill to authorize the city of Saginaw to raise money to aid in the construction of the Flint and Pere Marquette railway.



company's railroad, and the Jackson, Lansing and Saginaw railroad, or either of them;

Also,

A bill to authorize the village of South Saginaw to aid in the construction of the road of the Flint and Pere Marquette railway company, and the Jackson, Lansing and Saginaw railroad.

The bills were read a first and second time by their titles, and referred to the committee on internal improvements.

Mr. unanimous consent being given, introduced

A bill to amend section 29, of chapter 72, of the revised statutes of 1846, being section 2944 of the compiled laws, relating to appeals from the decision of commissioners in the payments of debts and legacies of deceased persons;

Also,

A bill to amend chapter 99 of the compiled laws, being chapter 75 of the revised statutes of 1846, in relation to the estate of deceased persons.

The bills were read a first and second time by their titles, and referred to the committee on the judiciary.

Mr. Lane, unanimous consent being given, introduced

A bill to amend sections 10 and 20, and to add section 21 to an act entitled "An act to organize Union school district of the city of Saginaw," approved March 18, 1865.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Miles, unanimous consent being given, introduced

A bill imposing an income tax upon residents and other persons doing business in this State, for the purpose of defraying all of the expenses of the State government, and for the abolishment of all State taxes upon real estate.

The bill was read a first and second by its title, and referred to the committee on ways and means.

Mr. Ingersoll, unanimous consent being given, introduced

Joint resolution proposing amendments to sections 3 and 4, article 4, section 1, article 7, and section 1, article 17, of the

constitution of Michigan, in relation respectively to the apportionment of Representatives, and to the qualification of electors, so as to allow women to vote.

The joint resolution was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Fenner, unanimous consent being given, introduced

A bill to provide for the laying out and constructing a State road in Sanilac county, and opening the same.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Ward, unanimous consent being given, introduced

A bill to authorize the township of Fairfield, Shiawassee county, to credit certain accounts.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Hurlbut, unanimous consent being given, introduced

A bill to amend act No. 210, of the session laws of 1867.

The bill was read a first and second time by its title, and referred to the committee on education

Mr. Jewell, unanimous consent being given, introduced

A bill to amend section 127, of chapter 117, of the compiled laws, as the same stands amended by act approved March 20, 1863.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Huston, unanimous consent being given, introduced

Joint resolution providing for letting to the lowest bidder contracts to supply the State Prison and State Reform School with goods manufactured in this State, composed of wool, or partly of wool and partly of cotton.

The joint resolution was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Stockbridge, unanimous consent being given, introduced

A bill to lay out and establish a State swamp land road, from the north-east corner of township 3 N., R. 16 W., in Allegan county, east along the town lines of Manlius, Fillmore, Overisel

and Heath, in said county, to the base line road running from Allegan, in Allegan county, to Holland, in Ottawa county;

Also,

A bill to amend section 2435 and section 2463, of the compiled laws, relative to the payment of moneys by purchasers of trust fund and swamp lands to county treasurers, and the forfeiture and redemption of said lands.

The bills were read a first and second time by their titles, and referred to the committee on public lands.

Mr. Stockbridge, unanimous consent being given, introduced

A bill to repeal section 19, of chapter 63, of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on manufactures.

Mr. R. V. Briggs, unanimous consent being given, introduced

A bill to appropriate 5,000 acres of swamp land to build a bridge across the Huron river, on the line of the old territorial road, between the counties of Wayne and Monroe.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. R. V. Briggs, unanimous consent being given, introduced

A bill to prohibit certain persons from practicing as physicians and surgeons, unless duly authorized by a diploma from a legally established medical college of physicians and surgeons, or regularly licensed by a medical society.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Kingsley, unanimous consent being given, introduced

A bill to amend sections 12, 13 and 15, of chapter 154, of the revised statutes of 1846, being sections 5756, 5757, 5758 and 5759, of chapter 181 of the compiled laws, entitled "of offenses against property."

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Kingsley, unanimous consent being given, introduced

A bill in relation to the organization of trust companies.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Miller, unanimous consent being given, introduced

A bill to establish and organize school district number seven, of the townships of Lenox and Chesterfield, in the county of Macomb, State of Michigan.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. W. D. Williams, unanimous consent being given, introduced

A bill to forfeit to the State the grants of land made to the Marquette and Ontonagon Railroad Company, and to confer the same upon some other company.

The bill was read a first and second time by its title, and referred to the committee on internal improvements

Mr. Smith, unanimous consent being given, introduced

A bill to enable the several townships in the counties of Montcalm, Kent, Mecosta, Muskegon, Newaygo, Mason and Oceana, to pledge their credit to aid in the construction of the Ionia, Lansing and Pentwater railroad.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Murray, unanimous consent being given, introduced

A bill to change the name of Laura Montague to Laura Scott, and to constitute her heir-at-law of J. Ward Scott and Jernsha Warner Scott.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Avery, unanimous consent being given, introduced

A bill to organize the township of Bryant, in the county of Montcalm.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Avery, unanimous consent being given, introduced

A bill to provide for the laying out and construction of a State road from the village of St. Louis, in Gratiot county, to

the village of Newaygo, in Newaygo county, and to appropriate certain non-resident highway taxes for the improvement of the same.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Horton, unanimous consent being given, introduced

A bill to amend an act entitled "An act supplementary to an act to legalize the illegal acts of the Regents of the University."

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Horton, unanimous consent being given, introduced

A bill to aid the Fenton Union Agricultural Society.

The bill was read a first and second time by its title, and referred to the committee on agriculture.

Mr. Curry, unanimous consent being given, introduced

A bill to amend House bill No. 68, session laws of 1869, which passed the House February 17th, by substituting a new section therefor, to stand as section one of said act.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Ward, unanimous consent being given, introduced

A bill to authorize the formation of county medical societies, and prevent the spread of epidemic and contagious diseases.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Riopelle, unanimous consent being given, introduced

A bill to amend section 12, of chapter 150, of the compiled laws, as amended in 1867, being section 12, of chapter 123, of the revised statutes of 1846.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Holt, unanimous consent being given, introduced

A bill to provide for a re-survey and re-platting of the village of Muskegon, and the additions thereto, and to establish such new plat as the legal plat of the same.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Mead, unanimous consent being given, introduced

A bill to amend an act entitled an act to provide for the incorporation of railroad companies, approved Feb. 12, 1855, by adding a new section thereto, to stand as section 67.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Huston, unanimous consent being given, introduced

A bill to repeal act number 229, of the session laws of 1859, entitled "An act to provide for the settlement and drainage of the swamp lands by actual settlers;"

Also,

A bill to amend paragraph 8, of act No. 217, of the session laws of 1861, entitled "An act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches," approved March 15, 1861;

Also,

A bill to amend act No. 180, of the session laws of 1863, entitled "An act to provide for laying out, establishing and improving a road from Muskegon Lake, to the north line of Mason county, and to appropriate swamp lands therefor," approved March 20, 1863;

Also,

A bill to amend act number 263, of the session laws of 1865, entitled "An act to provide for the laying out and constructing a State road from the head of White Lake, in Muskegon county, to Big Rapids, in Mecosta county," approved March 18, 1865;

Also,

A bill to provide for laying out and establishing a State road from the northern terminus of the Montcalm and Gratiot State road, and running thence north, as near as may be practicable, on west line of range 4, until it intersects the Ionia, Houghton Lake and Mackinaw State road;

Also,

A bill to amend section 3 of an act entitled "An act to amend

sections 1 and 8, of act number 46, of the laws of 1864, relative to a State road in Gratiot and Isabella counties;"

Also,

A bill to provide for the laying out and establishing a State road from Harrisville, in Alcona county, to intersect the Midland, Houghton Lake and Traverse City road;

Also,

A bill to provide for the refunding to the swamp land fund all moneys received by virtue of act No. 31, of the session laws of 1858, and applied in the payment of the outstanding indebtedness of the State;

Also,

A bill to amend an act entitled "An act to provide for the sale of the swamp lands and the reclamation thereof, and to secure the preëmption claims of settlers thereon," approved February 4, 1858;

Also,

A bill to provide for the drainage and reclamation of swamp lands, by means of a State ditch, in Tuscola county;

Also,

A bill appropriating eight sections of State swamp land, to secure the opening and construction of that part of the Bridgeport and Forrestville State road between Vassar and the village of Wabjamega;

Also,

A bill to amend act No. 76, of the session laws of 1867, being an act to provide for the appointment of a commissioner, to be known as the "Swamp Land State Road Commissioner;"

Also,

A bill to provide for the further improvement of the East Saginaw and Sauble river, and the Duncan, Alpena and Sauble river State roads.

The bills were read a first and second time by their titles, and referred to the committee on public lands.

Mr. Huston, unanimous consent being given, introduced

A bill setting aside the action of the school inspectors of the

townships of Arbela and Millington, in the county of Tuscola, in forming fractional district No. 4, and reestablishing the old districts.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Fuller, unanimous consent being given, introduced

A bill to provide for the extension of the time for the collection of taxes in cases where the treasurer, or other collecting officer, has been prevented by injunction from collecting the same during the lifetime of his warrant.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Fuller, unanimous consent being given, introduced

A bill to organize townships, 17, 18, 19 and 20 north, of ranges 18 and 14 west, in the unorganized county of Lake, by the name of Lake.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Yawkey, unanimous consent being given, introduced

A bill asking an appropriation of State swamp lands to aid in the construction of the Bridgeport and Flint river State road.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Yawkey, unanimous consent being given, introduced

A bill for the punishment of offenses therein named.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Yawkey, unanimous consent being given, introduced

A bill to amend the charter of the Saginaw and Genesee Plank Road Company, by adding a new section thereto.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Yawkey, unanimous consent being given, introduced

A bill to revise the act to incorporate the Board of Education of the city of East Saginaw, and the acts amendatory thereof.



The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Yawkey, unanimous consent being given, introduced

A bill to repeal act No. 4, of the session laws of 1865, entitled "An act to provide for the navigation of the Saginaw river, and to authorize the county of Saginaw to loan money in aid thereof."

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Boynton, unanimous consent being given, introduced

A bill to extend aid to the University of Michigan, and to provide for the education of females.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Boynton, unanimous consent being given, introduced

Joint resolution to legalize the action of certain commissioners in laying out a certain road in town two south, and nine east, in the State of Michigan, as provided by act No. 507, of the session laws of A. D. 1867.

The joint resolution was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Romeyn, unanimous consent being given, introduced

A bill to amend sections 5 and 6, of chapter 70, of the compiled laws, relative to telegraph companies, as amended by act number 240, of the session laws of 1863, approved March 20, 1863, sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19, of said chapter 70 of the compiled laws, and section 20, of said act No. 240, of the session laws of 1863, and to repeal section 21 of the same.

The bill was read a first and second time by its title, and referred by the committee on internal improvements.

Mr. Romeyn, unanimous consent being given, introduced

A bill making it the duty of the county, city, village and township treasurers, to report annually to the Auditor General, the finances, debt and public property of their respective counties, cities, villages and townships.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Riford, unanimous consent being given, introduced

A bill to provide for the protection of shade and ornamental trees along the highways in the county of Berrien.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Riford, unanimous consent being given, introduced

A bill to provide for the payment of additional bounty to volunteer soldiers enlisting in the United States service during the rebellion.

The bill was read a first and second time by its title, and referred to the committee on military affairs.

Mr. Baxter, unanimous consent being given, introduced

A bill to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches from the village of Mooreville, in the county of Washtenaw, south along the county line between the counties of Monroe and Lenawee, to the Ohio State line.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Baxter, unanimous consent being given, introduced

A bill to provide for and require the inspection of kerosene oil and other burning fluids, before sale.

The bill was read a first and second time by its title, and referred to the committee on manufactures.

Mr. Baxter, unanimous consent being given, introduced

A bill to prevent the obstruction of the free passage of fish along streams and inland rivers, by the interposition of fish weirs, weir dams, or weir nets.

The bill was read a first and second time by its title, and referred to the committee on fisheries.

Mr. Purcell, unanimous consent being given, introduced

A bill to amend section three, of chapter two, of the revised charter of the city of Detroit, approved February 5, 1857, and the several acts amendatory thereto.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Baxter, unanimous consent being given, introduced

A bill to define the right of dower, and of property, both real and personal, passing to widows on death of intestate husbands.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Baxter, unanimous consent being given, introduced

A bill to provide for duplicate records of deeds, mortgages, and other papers.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Crossman, unanimous consent being given, introduced

Joint resolution relative to certain specific taxes upon banks.

The joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Riford, unanimous consent being given, introduced

A bill to authorize any of the townships or cities in the counties of Berrien and Cass, to pledge their credit to aid in the construction of the Elkhart and Michigan Lake Shore railroad.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Plimpton, unanimous consent being given, introduced

A bill to divide the township of Bertrand, county of Berrien, and to organize a new township, to be called the township of Howe.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Plimpton, unanimous consent being given introduced,

A bill to detach sections 1, 2, 11, 12, 13, 14, and fractional sections 43 and 44, and all that part of sections 3, 4, 15, 20 and 22, which lies east of the St. Joseph river, and all being in township No. 8 south, range 17 west, and attach the same to the township of Bertrand.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Plimpton, unanimous consent being given, introduced

A bill to amend an act entitled an act relative to laying out, altering and discontinuing highways, approved March 15, 1861.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Plimpton, unanimous consent being given, introduced

A bill to amend sections 18 and 32, of chapter 93, of revised statutes of A. D. 1846, of the State of Michigan, the same being sections 3670 and 3686 of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Klein, unanimous consent being given, introduced

A bill to amend sections 15 and 17, of chapter 43, of the revised statutes of 1846, the same being sections 1588 and 1590, of chapter 44, of the compiled laws, relative to gaming.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Miles, unanimous consent being given, introduced

A bill to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches, to be known as the Greenwood, Brockway and Lynn State road.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Cameron, unanimous consent being given, introduced

A bill to incorporate the city of Kalamazoo.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Cameron, unanimous consent being given, introduced

A bill to authorize the township of Kalamazoo to hold annual and special elections in the city of Kalamazoo.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Walker, unanimous consent being given, introduced

A bill to authorize the Kalamazoo and Grand Rapids plank road company to vacate certain parts of said road.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. McKernau, unanimous consent being given, introduced

A bill to revise chapter 111, of the compiled laws, being chapter 87, of the revised statutes of 1846, relative to masters, apprentices and servants.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. L. Kendrick, unanimous consent being given, introduced

A bill to provide for the election of township superintendents of primary schools, and to amend certain sections of act number 55, of the session laws of 1867.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. L. Kendrick, unanimous consent being given, introduced

A bill to provide for the construction of a State road in the county of Lapeer, and making an appropriation of State swamp lands in aid of the construction of said road.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. L. Kendrick, unanimous consent being given, introduced

A bill to provide for the extension of what is called the Capas State road, in the counties of St. Clair and Lapeer, a distance of two miles further west.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Eaton, unanimous consent being given, introduced

A bill to authorize the several townships in the counties of Jackson, Hillsdale and Branch, to pledge their credit, to raise by tax or borrow money to aid in the construction of a railroad from the city of Jackson to a point on the south side of the State, in the county of Branch.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Sanford, unanimous consent being given, introduced

A bill to authorize the mayor of the city of Lansing to issue a warrant for the collection of certain taxes in said city.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Sanford, unanimous consent being given, introduced

A bill to prevent the introduction of contagious diseases in cattle.

The bill was read a first and second time by its title, and referred to the committee on agriculture.

Mr. G. G. Briggs, unanimous consent being given, introduced

A bill making an appropriation for the erection of a building on block 115, Lansing, for library and other purposes.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. G. G. Briggs, unanimous consent being given, introduced

A bill to amend section 40, of chapter 95, of the revised statutes of 1846, it being section 4022, of the compiled laws of 1857.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. McKernan, unanimous consent being given, introduced

Joint resolution ceding all that portion of the State denominated the Upper Peninsula of Michigan, to the United States Government, for the purpose of creating the same into a Territory.

The joint resolution was read a first and second time by its title, and referred to the committee on federal relations.

Mr. McKernan, unanimous consent being given, introduced

A bill to amend section 2 of an act entitled "An act to authorize the formation of corporations for mining, smelting or manufacturing iron, copper, mineral coal, silver, or other ores or minerals, and for other manufacturing purposes," approved February 5, 1853, the same being section 1800 of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on mines and minerals.

Mr. McKernan, unanimous consent being given, introduced

A bill to provide for the construction of water works in the village of Houghton, Houghton county.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. McKernan, unanimous consent being given, introduced

A bill to amend section 2, of act number 213, of the session laws of 1865, entitled "An act to lay out and establish a State road in the Upper Peninsula, to be known as the Wenona and Franklin State road, and to provide for the construction of the same," approved March 16, 1865.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Purcell, unanimous consent being given, introduced

A bill to amend an act entitled "An act to amend the laws relative to supplying the city of Detroit with pure and wholesome water," approved Feb. 14, 1853.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Purcell, unanimous consent being given, introduced

A bill to amend an act entitled "An act to establish a police court in the city of Detroit," approved April 2d, 1850, and the act amendatory thereto.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Eaton, unanimous consent being given, introduced

A bill to enable the several townships in the counties of St. Clair, Macomb, Oakland, Livingston, Jackson, Calhoun, Branch, St. Joseph, Cass and Berrien, to pledge their credit, to raise by tax or borrow money to aid in the construction of the Michigan Air Line railroad.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Ingersoll, unanimous consent being given, introduced

Joint resolution for the relief of Edward Murphy.

The joint resolution was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Ingersoll, unanimous consent being given, introduced

A bill to authorize and require the laying out and establishment of a State road, from the western terminus of Frazier street, as laid down on the recorded map or plat of Corunna, in the county of Shiawassee, to Washington street, in the city of Owosso.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Ingersoll, unanimous consent being given, introduced

A bill to reorganize the township of Caledonia, in the county of Shiawassee.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Ingersoll, unanimous consent being given, introduced

A bill to authorize township boards to extend the time for the collection of annual taxes.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Ingersoll, unanimous consent being given, introduced

A bill to amend sections 1588, 1589 and 1590, of compiled laws, relative to the playing of billiards, and keeping billiard tables for hire.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Ingersoll, unanimous consent being given, introduced

A bill to regulate the practice of dental surgery.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Parcell, unanimous consent being given, introduced

A bill to amend section 15, of chapter 9, of an act entitled "An act to revise the charter of the city of Detroit," approved February 5, 1857, as amended by the several acts amendatory thereto.



The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Blake, unanimous consent being given, introduced

A bill directing the township of Polkton, in the county of Ottawa, to raise by tax, in the year 1869, certain money for Lewis D. Burch.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Blake, unanimous consent being given, introduced

A bill to authorize the city of Grand Haven to aid the Detroit and Milwaukee railroad company to extend the line of their road across Grand river, from Ferrysburg into the city of Grand Haven, and to change the location of their depot at Grand Haven, from the west to the east side of Grand river.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Hurlbut, unanimous consent being given, introduced

A bill to appropriate ten sections of State swamp lands to aid in the construction of a wagon road in the county of Van Buren.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Newman, unanimous consent being given, introduced

A bill to organize the township of Greenbush, in the county of Alcona.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Snell, unanimous consent being given, introduced

A bill to provide for the drainage of swamp lands, by means of a ditch to be known as the Shabion ditch.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Miles, unanimous consent being given, introduced

A bill to enable any of the towns or cities in the counties of Saginaw, Lapeer and St. Clair, to pledge their credit, by loan, gift or otherwise, in aid of the construction of a railroad from

Saginaw Valley to the city of Port Huron, in the county of St. Clair.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Avery, by unanimous consent, offered the following:

*Resolved by the House of Representatives, That one thousand copies of the Supplementary Report of Dr. VanDeusen, Superintendent of the Michigan Asylum for the Insane, in reference to the cause and treatment of insanity, be published for the use of the members of this House;*

Which was adopted.

Mr. Ingersoll, by unanimous consent, offered the following:

*Whereas, The petitions and other papers on which Executive clemency and pardons of convicts in State Prison have been granted for the last four years, are not on file in the office of the Governor of this State, where, in the opinion of the Legislature they should be; therefore, be it*

*Resolved, (the Senate concurring,) That ex-Governor Crape be and he is hereby respectfully requested to forward all papers now in his possession, on which pardons of convicts have been based, to the Governor of this State, that they may be filed in the archives of that office.*

Laid on the table for one day under the rules.

Mr. B. Clark moved to discharge the committee of the whole from the further consideration of House bill No. 103, entitled

A bill to legalize the action of the school inspectors of the townships of Albion and Sheridan, in the county of Calhoun, and State of Michigan, in the consolidation of certain school districts therein;

Which motion prevailed.

On motion of Mr. B. Clark,

The bill was recommitted to the committee on education.

Mr. Holt moved to take from the table Senate joint resolution No. 5, entitled,

Joint resolution to provide for applying the surplus funds in

the State Treasury, in payment of the interest bearing bonds of the State;

Which motion prevailed.

On motion of Mr. Holt,

The amendment made by the committee of ways and means to the amendment formerly made to the joint resolution by the House, was concurred in.

On motion of Mr. Cameron,

The House took a recess until 7 o'clock this evening.

---

EVENING SESSION.

7 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

MESSAGE FROM THE GOVERNOR.

By unanimous consent, the Speaker announced the following:

EXECUTIVE OFFICE, }  
*Lansing, February 24, 1869.* }

*To the Legislature:*

I have received and herewith transmit a circular from a committee of gentlemen at Louisville, Kentucky, organized for the purpose of corresponding with the several States, on the subject of the erection of a monument to the memory of Union soldiers, in each of the national or public cemeteries of the country, in which are buried more or less of those noble men.

Accompanying the circular is a statement of the number of these cemeteries in the Military Division of Tennessee, with a tabular statement of the number of burials from the several States in each.

It is stated that the remains of 5,465 Michigan soldiers rest in the twenty cemeteries in that division. How many similar burial places there are in the other military divisions, I am not informed.

It is the policy of the government, so far as may be possible,

to gather the remains of those whose lives were laid down in the defense and support of the government, and to lay them at rest in national grounds or cemeteries, set apart and to be forever kept sacred for this holy purpose.

The Legislature of this State has so far made appropriations towards the cemeteries and monuments at Gettysburg and Antietam, and to no others. To erect suitable monuments in each of the grounds, would seem to be a solemn duty devolving upon a grateful people, whose government and institutions had been saved at the sacrifice of the lives of so many of its faithful sons.

I commend the circular and the whole subject to your consideration.

HENRY P. BALDWIN.

The following are the documents accompanying the message:

LOUISVILLE, Ky., Jan. 28, 1869.

*To His Excellency, Gov. HENRY P. BALDWIN:*

DEAR SIR—The undersigned, appointed by citizens of Louisville, a committee to devise measures for procuring means to erect a suitable monument in honor of the 3,905 Union Soldiers buried in the National Department of our city's beautiful "Cave Hill Cemetery," would respectfully address a few lines to you, and, through you, to the Legislature of your State, upon this deeply interesting subject.

In appointing us, our fellow citizens had direct and especial reference to a monument in one cemetery; but when we came together and conversed upon the matter, the question presented itself, "Why should not an appropriate monument be erected in every one of the National Cemeteries in this great Department?"

We learn from Col. E. B. Whitman, to whom the charge has been entrusted, of gathering the dead from their thousand scattered graves into resting places which can be kept forever sacred, that there are in this military division—a division extending from the borders of Western Virginia to the Mississippi, and from the Ohio to the Gulf—twenty National Cemeteries, in which are buried 114,648 forms of our brave soldiers,

in numbers varying from the 355 reposing in the cemetery at Danville, Ky., to the mighty congregation of the dead, the 16,486 sleeping the last sleep in the Nashville Cemetery.

These cemeteries have been prepared with great care. Some of them are very picturesque and beautiful. All of them have deep, intense interest, for there is not a grave of the 114,648, which is not connected indissolubly with many a loving heart and a saddened home. Thirty-two States are represented in these resting places of the Nation's dead; and is it not fitting and right that in every one of them, through joint contributions from all these States, a chaste, tasteful monument should be erected in token of the affection and reverence in which their memory is held?

It has seemed to us that if once the attention of the Legislatures were called to the subject, there would be no hesitancy, nay, there would be great readiness, in appropriating the money requisite to accomplish this most desirable end.

We well remember how intent were the earnest men, sent by their respective States during the war to look after the sick and wounded soldiers, upon having the remains of the dead reverently cared for; and many a touching inscription, carved by soldiers on tablets near the lonely grassy mounds, attest their desire to have the graves of their comrades honored.

A small sum only per capita would be necessary, if all the States represented, or even if those the most largely represented, should participate in the work; and by entrusting the proceeds of the appropriations to a National Cemetery Committee, composed of a member or members from each contributing State, with instructions and authority to erect monuments adapted in proportions and expensiveness to the size of the respective cemeteries, in a short time every cemetery could be adorned with a beautiful and appropriate memorial, an enduring stone of remembrance.

Of these silent representatives of the thirty-two States in the twenty cemeteries, who, though dead, yet speak:

Illinois has.....	16,885
Ohio,.....	16,807
Indiana,.....	13,887
Michigan,.....	5,465
Kentucky,.....	5,389
Iowa,.....	5,060
Wisconsin,.....	4,475
Tennessee,.....	4,423
Missouri,.....	3,325
New York,.....	1,757
Pennsylvania,.....	1,706
Minnesota,.....	1,240
Kansas,.....	436
New Jersey,.....	415
Massachusetts,.....	339
Alabama,.....	336
New Hampshire,.....	254
Connecticut,.....	155
North Carolina,.....	121
Virginia,.....	114
Mississippi,.....	95
Arkansas,.....	94
Maine,.....	62
Rhode Island,.....	51
Nebraska,.....	43
Louisiana,.....	25
Maryland,.....	21
Georgia,.....	18
Vermont,.....	17
Texas,.....	7
West Virginia,.....	5
Delaware,.....	3

This number does not include those buried at Andersonville, of whom we have the total—13,705—but the classification has not yet reached us—nor does it include those who are registered as United States Troops, without reference to States.

If the suggestion made in regard to the appointment of the National Cemetery Committee receive your approval, we would furthermore suggest an early meeting of the Committee at Louisville. We mention this city, because Col. Whitman's headquarters are here, and we know that this accomplished officer, whose heart has been given to the work confided to him, will take great pleasure in showing the plans of the cemeteries, the records and tabulated statements, any and all of the papers which illustrate the history, progress and present condition of the cemeterial work, and in facilitating in every way the labors of the Committee.

With great respect,

Your friends and obedient servants,

W. B. BELKNAP,  
THOS. E. BRAMLETTE,  
JAMES SPEED,  
T. S. BELL,  
JOHN. H. HEYWOOD,  
W. T. WARD,  
B. H. BRISTOW,  
H. G. VAN SEGGERN,  
T. B. FAIRLEIGH,  
G. DETTWEILER,

*Committee,*

W. B. BELKNAP, *Chairman.*

JOHN H. HEYWOOD, *Secretary.*

*TABULAR View of some Items in Connection with National Cemeteries located in the Original Military Division of the Tennessee.*

Ranking Number.	NAME OF CEMETERY.	LOCATION.	No. of Acres Enclosed.	No. of Reg'ts Represent'd.	No. of Dead Interred.			No. of distinct localities from which the dead have been gathered.	Disinterments yet to be made.	No. of Reg'ts Represent'd.	MICHIGAN SOLDIERS.			REMARKS.
					Known.	Citizens, Miscellaneous and Unknown.	Total.				No. of Reg'ts Represent'd.	Known.	Proportion of Unk. and Miscellaneous.	Total.
1	Andersonville,.....	Andersonville, Georgia,.....	50	.....	12,475	1,189	13,617	146	....	....	600	56	716	The dead from the
2	Camp Nelson,.....	Near Nicholasville, Kentucky,...	8	801	2,252	1,386	3,638	228	....	....	202	204	406	Lawt'n Cemetery and
3	«Cave Hill,.....	Louisville, Kentucky,.....	.....	597	3,144	761	3,905	67	....	81	259	49	308	from East'n Georgia,
4	Chattanooga,.....	Chattanooga, Tennessee,.....	75	635	7,676	5,167	12,843	309	....	80	485	296	780	including Savannah
5	Cumberland River,...	Fort Donelson, ".....	15 34-100	33	120	550	670	153	....	....	....	....	....	and Ft. McAllister,
6	«Danville,.....	Danville, Kentucky,.....	.....	94	344	11	355	3	....	8	18	....	18	have been removed
7	Knoxville,.....	Knoxville, Tennessee,.....	10	257	1,003	1,250	2,153	174	....	23	270	176	446	to the U. S. Nat. Cem-
8	Lebanon,.....	Lebanon, Kentucky,.....	2 3 8	136	532	333	865	41	....	13	55	38	93	etry at Beaumont, S. C.
9	«Lexington,.....	Lexington, ".....	.....	147	797	147	944	28	....	12	168	27	195	Returns not yet all
10	Marietta and Atlanta,	Marietta, Georgia,.....	30	546	6,777	3,215	9,992	1,070	....	21	242	116	358	received.
11	Mill Springs,.....	Logan's Cross Roads, Kentucky,.	3	73	281	416	767	96	....	10	24	42	66	Number about 2000.
12	Mississippi River,...	Memphis, Tennessee,.....	38 16-100	574	4,932	9,029	13,961	341	....	....	57	62	119	The dead from Co-
13	«Mobile,.....	Mobile, Alabama,.....	.....	137	456	104	560	.....	....	....	2	.....	2	lumbus, Paducah and





On motion of Mr. Baxter,

The message and accompanying communication were referred to the committee on federal relations.

MESSAGES FROM THE SENATE.

By unanimous consent, the Speaker announced the following:

SENATE CHAMBER, }  
Lansing, Feb. 24, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 71, entitled

A bill to amend sections 12, 16 and 26, of chapter 123, of the revised statutes of 1846, of forcible entries and detainers, being sections 4985, 4989 and 4999, of the compiled laws, and to repeal act No. 94, of the session laws of 1867, approved March 25, 1867;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,  
*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Feb. 24, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 76, entitled

A bill to set off and incorporate a portion of the townships of Manistee and Stronach, in the county of Manistee, into a city by the name of the city of Manistee;

2. Senate bill No. 83, entitled

A bill to amend section 7, of act No. 180, session laws of

1865, entitled "An act to incorporate the village of Otsego," approved March 15, 1865;

3. Senate manuscript bill, entitled

A bill to amend section 2, of chapter 172, of the revised statutes of 1846, being section 6160 of the compiled laws, touching the appointment of inspector for the State Prison;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first and second named bills were read a first and second time by their titles, and referred to the committee on banks and incorporations.

The third named bill was read a first and second time by its title, and referred to the committee on the State Prison.

Mr. Mead, by unanimous consent, presented the following:

*Resolved*, That no paper shall be received as a bill or joint-resolution, which is not such in fact.

On motion of Mr. Yawkey,

The resolution was laid on the table.

The House then resumed the order of

#### INTRODUCTION OF BILLS.

Mr. Grant, unanimous consent being given, introduced

A bill to incorporate the village of Nashville.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. R. V. Briggs, unanimous consent being given, introduced

A bill to declare a forfeiture of the Detroit river plank road company.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. R. V. Briggs, unanimous consent being given, introduced

A bill to detach certain townships from the county of Wayne, and organize a new county.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. R. V. Briggs, unanimous consent being given, introduced

A bill to authorize the highway taxes raised in the township of Ecorse, county of Wayne, to be assessed, levied and collected in the same manner as other taxes are assessed, levied and collected, and to be expended under the direction of the highway commissioners.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Riopelle, unanimous consent being given, introduced

A bill to amend chapter 141, section 12, of the compiled laws of 1857, entitled of proceedings against garnishees.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Riopelle, unanimous consent being given, introduced

A bill granting aid to the St. Mary's Hospital of the city of Detroit.

The bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

Mr. Ternes, unanimous consent being given, introduced

A bill to amend act No. 194, of session laws of 1867, entitled "An act to provide for the registration of births, marriages and deaths."

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Riopelle, unanimous consent being given, introduced

A bill to amend section 2, of chapter 141, of the compiled laws of 1857, entitled "of proceedings against garnishees."

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Lane, unanimous consent being given, introduced

A bill to provide for the improvement of the navigation of the Saginaw river, by the township of Spaulding;

Also,

A bill to provide for the improvement of the Saginaw river, by the city of Saginaw.

The bills were read a first and second time by their titles, and referred to the committee on local taxation.

Mr. Lane, unanimous consent being given, introduced

A bill to provide that the swamp lands appropriated to aid in the construction of that part of the Ionia, Houghton Lake and Mackinaw State road, north of Houghton Lake, may be applied to aid in the construction of a railroad on said route.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Sanford, unanimous consent being given introduced

A bill to revise the charter of the city of Lansing.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Ingersoll, unanimous consent being given, introduced

A bill to assist in the erection of monuments to the memory of Union soldiers, in each of the national public cemeteries of the country, in which are buried those who fell in defense of the government, and to appropriate a sum of money therefor.

The bill was read a first and second time by its title, and referred to the committee on federal relations.

Mr. L. Kendrick, unanimous consent being given, introduced

A bill to incorporate the village of Dryden, in the county of Lapeer.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Baxter, unanimous consent being given, introduced

A bill to ascertain and perpetuate township and section lines, and corners of original surveys.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Holt, unanimous consent being given, introduced

A bill to amend an act entitled "An act to provide for assessing property at its true value, and for levying and collecting

taxes thereon," approved February 14, 1853, by adding three new sections thereto;

Also,

A bill to amend sections 2, 4, 5 and 17, of chapter 23, of the revised statutes of 1846, entitled "Of persons liable to work on highways, and making assessments therefor," being sections numbered 1014, 1016, 1017 and 1031, of the compiled laws.

The bills were read a first and second time by their titles, and referred to the committee on ways and means.

Mr. H. G. Williams, unanimous consent being given, introduced

A bill to repeal subdivision No. 8, of section No. 1, of act No. 117, of the laws of 1859, and all acts or parts of acts which provide for laying out and establishing the Marquette and Bay de Noc swamp land State road.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Holt, unanimous consent being given, introduced

A bill to amend chapter 24, of the revised statutes of 1846, entitled of the duties of overseers in regard to the performance of labor on highways, and of the performance of such labor, or the commutation and application of moneys by the commissioners, by repealing sections 2 and 15, and amending sections 3 and 16 thereof, said sections being sections 1024 and 1037, and sections 1025 and 1038, of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. McKernan, unanimous consent being given, introduced

A bill appropriating twenty thousand acres of State swamp lands to aid in building a draw-bridge across Portage river, between Houghton and Hancock, in Houghton county.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. H. G. Williams, unanimous consent being given, introduced

A bill to provide for laying out and establishing a swamp

land State road from the village of Escanaba, in the county of Delta, running westerly on the most direct and eligible route to a point at or near the southern terminus of the L'Anse Bay and State Line road, in the county of Marquette, and to appropriate swamp lands therefor.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Crane, unanimous consent being given, introduced

A bill to amend sections 2 and 3, of act No. 115, of session laws of 1861, entitled "An act to amend chapter 23, of the compiled laws, relative to obstructions and encroachments."

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Crane, unanimous consent being given, introduced

A bill to amend sections 4, 5 and 6, of chapter 60, of the revised statutes of 1846, being sections 2447, 2448 and 2449, of the compiled laws, relative to the sale of University and school, and other part-paid State lands.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. McKernan, unanimous consent being given, introduced

A bill to detach certain territory from the township of Hancock, in Houghton county, and attach the same to the township of Adams, in said county.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Harris, unanimous consent being given, introduced

A bill to enable practical mechanics to establish coöperative companies, and to authorize cities and villages to grant aid for the same.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Woodard, unanimous consent being given, introduced

A bill to authorize the members of the present Legislature of the State of Michigan to purchase the compiled laws, also the session laws of the State of Michigan.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Woodard, unanimous consent being given, introduced

A bill to authorize the organization of a company to construct a railroad from Toledo, Ohio, to Saginaw, in the State of Michigan, by the way of Dundee and Milan, also to authorize the several townships in the counties of Monroe, Saginaw and Washtenaw, to grant aid for the construction thereof.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Mason, unanimous consent being given, introduced

A bill to provide for the establishment of township libraries.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Eaton, unanimous consent being given, introduced

A bill to amend an act entitled "An act to authorize either or all of the several townships, cities and villages of the counties of Macomb, Oakland, Livingston, Eaton, Ingham, Barry, Allegan, Van Buren and Berrien, to loan money and pledge their credit, or raise money by tax, to aid in the construction of a railroad from Ridgeway, in the county of Macomb, on the Grand Trunk railway, by the way of the city of Lansing, to the village of St. Joseph, and from thence to the Indiana State line," approved March 15, 1865, by adding a new section thereto.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Fuller, unanimous consent being given, introduced

A bill to regulate the fees of registers of deeds.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Fuller, unanimous consent being given, introduced

A bill to provide for the construction of a State road from Isabella, in the county of Isabella, north to Tobacco river, thence north of east to intersect the Middlesex and Traverse Bay State road.



The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Stewart, unanimous consent being given, introduced

A bill to amend act No. 139, of the session laws of 1867, approved March 27, 1867, being an act to amend section 12 of the act entitled "An act to encourage the erection and support of water power manufactories," approved March 21, 1865.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Sickels, unanimous consent being given, introduced

A bill to detach certain lands from the county of Shiawassee, and attach the same to the county of Clinton.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. H. G. Williams, unanimous consent being given, introduced

A bill to repeal act No. 513, of the session laws of 1867, entitled "an act to provide for laying out and establishing a State road in the county of Menominee."

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Eaton, unanimous consent being given, introduced

A bill to authorize the county of Jackson to pledge its credit to aid in the construction of the Michigan Air Line railroad.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Holt, unanimous consent being given, introduced

A bill to amend section 9, of act No. 348, of the session laws of 1865, entitled an act to authorize the commissioner of highways to establish water courses and locate ditches in certain cases, and to repeal act No. 257 of the laws of 1859, and act No. 241, of the laws of 1861, approved March 21, 1865.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Holt, unanimous consent being given, introduced

A bill to amend section 2299 of the compiled laws, being section 56 of the primary school laws.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Wendell, unanimous consent being given, introduced

A bill to charter the Mackinaw Telegraph Company to construct a line from Saginaw City, *via* the Straits of Mackinaw and Sault Ste. Marie.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Huston, unanimous consent being given, introduced

A bill to amend section 1, of act No. 155, of the session laws of 1861, entitled an act to amend section 1 of an act entitled an act to provide for the drainage and reclamation of swamp lands, by means of State roads and ditches, approved March 13, 1861, so as to discontinue the Ionia, Houghton Lake and Mackinac State road.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. McCowen, unanimous consent being given, introduced

Joint resolution providing for refunding to National banks, the taxes paid by them into the treasury of this State.

The joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Purcell, unanimous consent being given, introduced

A bill to amend section 27, of chapter 15, of the compiled laws of 1857, relative to the powers of boards of supervisors in certain cases.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Newman, unanimous consent being given, introduced

A bill to organize the county of Gladwin.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Mitchell, unanimous consent being given, introduced

Joint resolution asking Senators and Representatives in

Congress from Michigan, to urge an appropriation for the speedy erection of a light house at the mouth of the Pere Marquette river, in the county of Mason.

The joint resolution was read a first and second time by its title, and referred to the committee on federal relations.

M. Wendell, unanimous consent being given, introduced

A bill appropriating highway taxes on the Duncan, Alpena and Sanble State road.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Slayton, unanimous consent being given, introduced

A bill to provide for the incorporation of savings' associations.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Kingaley, unanimous consent being given, introduced

A bill to amend an act entitled "An act to incorporate the city of Ann Arbor."

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Eaton, unanimous consent being given, introduced

A bill to revise and consolidate the laws authorizing the formation of railroad companies, and regulating the operations of such companies.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Avery, unanimous consent being given, introduced

A bill to amend section 5, of act No. 117, of the session laws of 1859, as amended by act No. 107, of the session laws of 1861, entitled "an act to amend an act entitled an act to provide for the drainage and reclamation of swamp lands, by means of State roads and ditches," being act No. 117, of the session laws of 1859.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Avery, unanimous consent being given, introduced

Joint resolution to protect actual residents upon railroads

and other lands, in their rights as first purchasers of such lands.

The joint resolution was read a first and second time by its title, and referred to the committee on public lands.

Mr. Sanford, unanimous consent being given, introduced

A bill to amend section 50, of chapter 134, of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Huston, unanimous consent being given, introduced

A bill to secure uniformity in the surveys, field notes, diagrams and records of State roads; to require copies to be made, filed and kept; and to provide for the payment of all necessary expenses attending the same.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Wendell, unanimous consent being given, introduced

A bill making an appropriation of State swamp lands for the construction of a railroad tunnel under the Straits of Mackinaw, to prevent the people of the Upper Peninsula from seceding, etc.

The bill was read a first and second time by its title, and referred to the committee on fisheries.

Mr. Crossman, unanimous consent being given, introduced

A bill to repeal an act to amend an act entitled "An act to extend aid to the University of Michigan," passed in 1869.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Cameron, unanimous consent being given, introduced

A bill to grant further time to the supervisor of the township of Kalamazoo to perfect his assessment roll.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Cameron, unanimous consent being given, introduced

A bill to incorporate the village of Galesburg.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Wendell, unanimous consent being given, introduced

A bill appropriating highway taxes in aid of the construction of the Mackinaw and Little Traverse Bay State road.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Plimpton, unanimous consent being given, introduced

A bill to prevent and punish persons for breaking locks and chains attached to boats, and suffering them to float away, upon the inland lakes, rivers and streams in the State of Michigan.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Newman, unanimous consent being given, introduced

A bill to organize the Au Sable and Traverse river boom company, with certain privileges.

The bill was read a first and second time by its title, and referred to the committee on lumber interests.

Mr. Wendell, unanimous consent being given, introduced

A bill to organize a telegraph line from Grand Rapids to the Straits of Mackinaw.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Hurlbut, unanimous consent being given, introduced

A bill in relation to certain persons employed by the railroad companies of this State.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Hurlbut, unanimous consent being given, introduced

A bill to authorize the school board of school district No. 1, of the townships of Paw Paw and Antwerp, to convey real estate.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Stockbridge, by unanimous consent, offered the following:

*Resolved*, That the Auditor General be requested to transmit to this House a statement, showing the situation of the internal improvement fund of the State;

Which was adopted.

Mr. Huston, by unanimous consent, offered the following:

*Resolved*, That the State Treasurer be directed to report to this House, as soon as convenient, how much money (if any) has been paid to the several counties of this State, by virtue of section 5, act No. 31, session laws of 1858, being moneys received on the sale of swamp lands;

Which was adopted.

Mr. Yawkey, by unanimous consent, offered the following:

*Whereas*, On Monday, February 22, 1869, one Daniel Burns, of Bay City, county of Bay, did receive from the chairman of the committee on banks and incorporations, and through the courtesy of the chairman thereof, said Daniel Burns received a bill, entitled "A bill to amend the charter of Bay City," and still retains the same in his possession; therefore,

*Resolved*, That the Sergeant-at-Arms is hereby directed to bring the body of said Daniel Burns before the bar of this House, to answer to the charge of contempt;

Which was adopted.

Mr. Huston, by unanimous consent, offered the following:

*Resolved*, That the State Treasurer is hereby requested to report to this House, as soon as convenient, what amount of money received under act No. 31, session laws of 1858, has been applied in the payment of the outstanding indebtedness of the State;

Which was adopted.

By unanimous consent, the committee on banks and incorporations reported as follows:

The committee on banks and incorporations, to whom was referred

A bill to amend the charter of the city of Jackson;

Also: the remonstrance of B. Porter, A. J. Hobart and 134 others, against extending the limits of the city of Jackson,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By unanimous consent, the committee on banks and incorporations reported as follows:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of Rochester, together with certain petitions asking the passage of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

DAN'L L. CROSSMAN, *Acting Chairman*.

Report accepted and committee discharged.

On motion of Mr. Cameron,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By unanimous consent, the committee on banks and incorporations reported as follows:

The committee on banks and incorporations, to whom was referred

A bill to amend and revise an act entitled "An act to revise the charter of the city of Port Huron," approved February 15, 1859,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so

amended, do pass, and ask to be discharged from the further consideration of the subject.

DAN'L L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Rowson,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Smith,

The rules were suspended, and the bill was placed on the order of third reading.

By unanimous consent, the committee on banks and incorporations reported as follows:

The committee on banks and incorporations, to whom was referred

A bill to authorize the formation of companies for the introduction of water into towns, cities and villages;

Also,

A bill to authorize the formation of companies for the construction of water works in and for incorporated cities and villages, to authorize such cities and villages to subscribe stock in such companies, and to issue and sell bonds, and levy taxes for the payment thereof,

Respectfully report that they have had the same under consideration, and have directed me to report, that each of these bills undertakes to accomplish substantially the same object; that both are carefully drawn, one being prepared by Hon. Theodore Romeyn, of Detroit, the other by Hon. Eugene Pringle, of Jackson; that the object to be accomplished is meritorious, and that for the accomplishment of that object each bill has especial points of merit above the other; therefore, your committee do not decide in favor of either, but return them to the House, with the recommendation that both be printed and placed upon the general order, and ask to be discharged from the further consideration of the subject.

DAN'L L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.



The bills were ordered printed, referred to the committee of the whole, and placed on the general order.

## THIRD READING OF BILLS.

Senate bill No. 60, entitled

A bill to incorporate the village of Schoolcraft,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Hartson,	Mr. Sanford,
Avery,	Holt,	Seward,
Baxter,	Horton,	Shaw,
Beall,	Hubbard,	Sheldon,
Bostwick,	Hurlbut,	Shier,
Boynton,	Huston,	Sickels,
G. G. Briggs,	Jewell,	Slayton,
R. V. Briggs,	L. Kendrick,	Smith,
Cameron,	F. G. Kendrick,	Snell,
B. Clark,	Kingaley,	Stewart,
O. Clark,	Klein,	Stockbridge,
Cogshall,	Lane,	Ternes,
Crane,	Lee,	Thompson,
Crossman,	Lovell,	Vowles,
Curry,	Mandigo,	Wagner,
Davis,	Mason,	Walker,
Doty,	McCowen,	Walton,
Dusseau,	McKernan,	Ward,
Eaton,	Mead,	Weier,
Eck,	Millington,	Wendell,
Elliott,	Mitchell,	White,
Fuller,	Murray,	Wilcox,
Gay,	Newman,	J. A. Williams,
Gifford,	Purcell,	Woodard,
Goodrich,	Putnam,	Yawkey,
Grant,	Riopelle,	Speaker,
Harris,	Rowison,	
	NAYS.	

80

9

Title agreed to.

On motion of Mr. Walker,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The Sergeant-at-Arms announced the Private Secretary of

the Governor, who transmitted to the House a message from His Excellency, the Governor, in writing.

MESSAGE FROM THE GOVERNOR.

By unanimous consent, the Speaker announced the following:

EXECUTIVE OFFICE,  
Lansing, February 24, 1869. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State:

An act to provide for the incorporation of the Father Matthew Total Abstinence Benevolent Societies;

Also,

An act to extend the time for the collection of taxes in the city of Jackson, in the county of Jackson, for the year 1868;

Also,

An act appropriating certain non-resident highway taxes for the improvement of certain roads in the county of Gratiot;

Also,

An act to incorporate the village of Stanton;

Also,

An act to amend sections 1, 7 and 26 of an act to revise the charter of the village of Hastings, approved March 22, 1867;

Also,

An act to amend an act entitled "An act to extend aid to the University of Michigan;"

Also,

An act to change the name of the First Congregational Church and Society, of Raisin, (being in the county of Lenawee and State of Michigan,) to the First Presbyterian Church and Society, of Raisin;

Also;

An act granting the right of way, through lands owned by the State, for a railroad in Menominee county;

Also,

An act to provide for paying expenses authorized to be incurred by the Legislature;

Also,

An act to amend section 2, of chapter 42, of the compiled laws, relative to disorderly persons;

Also,

An act to authorize the Young Men's Society of Saginaw, to change the name of said society;

Also,

An act to authorize the village of South Saginaw to raise by tax, money to build a station house for the use of said village;

Also,

Joint resolution asking Senators and Representatives in Congress from Michigan, to urge the speedy erection of a light-house at the mouth of the Manistee river, in the county of Manistee.

#### HENRY P. BALDWIN.

The message was laid on the table.

By unanimous consent, the following petitions were presented:

By Mr. Cameron: petition of Andrew Blass, R. S. VanVleet, A. B. Sumner, A. D. P. Van Buren and William A. Blake, asking for an act to incorporate the village of Galesburg.

Referred to the committee on banks and incorporations.

By Mr. Horton: petition of H. C. Van Tiffin and 64 others, citizens of Flint and vicinity, asking that the charter of the Flint and Fentonville plank road company may be repealed;

Also: petition of Geo. S. Woodhull and 89 others, citizens of the town of Fenton, for the same purpose.

Referred to the committee on banks and incorporations.

On motion of Mr. G. G. Briggs,

The House adjourned until Saturday afternoon at 5 o'clock.

*Lansing, Saturday, February 27, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Roll called: not a quorum present.

Mr. Stockbridge moved that there be a call of the House;

Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members were reported absent without leave:

Messrs. Avery, Beall, G. G. Briggs, Brownell, Cameron, O. Clark, Cogshall, Crossman, Curry, Doty, Eaton, Harris, Hoff, Horton, Hunt, Huston, Hutchinson, Ingersoll, Jewell, L. Kendrick, F. G. Kendrick, Kingsley, Klein, Lane, Lee, Mandigo, Miles, Miller, Murray, Newman, Plimpton, Purcell, Riopelle, Romeyn, Seward, Shaw, Sheldon, Sickels, Slayton, Smith, Snell, Stannard, Stewart, Ternes, Walton, Ward, Westover, White, H. G. Williams, J. A. Williams, Yawkey.

On motion of Mr. Mead,

The Sergeant-at-Arms was dispatched after the absentees.

The Sergeant-at-Arms announced Mr. Cameron at the bar of the House.

On motion of Mr. Mead,

Mr. Cameron was admitted within the bar of the House, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Seward at the bar of the House.

On motion of Mr. Baxter,

Mr. Seward was admitted within the bar of the House, rendered an excuse, and took his seat.

Mr. Swift moved that all further proceedings under the call be dispensed with;

Which motion did not prevail.

The Sergeant-at-Arms announced Mr. Kingsley at the bar of the House.

On motion of Mr. Thompson,

Mr. Kingaley was admitted within the bar of the House, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Lee at the bar of the House.

On motion of Mr. Gay,

Mr. Lee was admitted within the bar of the House, rendered an excuse, and took his seat.

On motion of Mr. McKernan,

All further proceedings under the call were dispensed with, A quorum of the House was declared present.

Mr. Sanford asked and obtained leave of absence for Mr. Holt, until Wednesday.

Mr. Mitchell asked and obtained leave of absence for Mr. Miles, until Tuesday morning.

Mr. Baxter asked and obtained leave of absence for Mr. Shaw, until Tuesday.

Mr. Millington asked and obtained leave of absence for Messrs. Sickels and Mandigo, until Tuesday next.

On motion of Mr. McKernan,

The House adjourned until Monday morning at 9 o'clock.

---

*Lansing, Monday, March 1, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Davis.

Roll called: quorum present.

Absent without leave: Messrs. Brownell, O. Clark, Cogahall, Curry, Harris, Horton, Huston, Hutchinson, Jewell, L. Kendrick, Klein, Lane, Murray, Newman, Purcell, Riopelle, Romeyn, Sheldon, Slayton, Smith, Snell, Stannard, Stewart, Ternea, Walton, Westover, White, H. G. Williams and J. A. Williams.

Mr. R. V. Briggs asked and obtained leave of absence for Mr. Harris, until to-morrow morning.

Mr. Vowles asked and obtained leave of absence for Mr. Brownell, until Wednesday morning.

Mr. Baxter asked and obtained leave of absence for Mr. Slayton, until to-morrow morning.

Mr. Baxter asked and obtained leave of absence for Mr. Walton, for the day.

Mr. Plimpton asked and obtained leave of absence for Messrs. Romeyn and Riopelle, until to-morrow morning.

Mr. Kingsley asked and obtained leave of absence for Messrs. H. G. Williams and Sheldon, until to-morrow morning.

Mr. R. V. Briggs asked and obtained leave of absence for Messrs. Harris, Purcell and Ternes, until to-morrow morning.

Mr. Dusseau asked and obtained leave of absence for Mr. Stewart, until to-morrow morning.

Mr. Wagner asked and obtained leave of absence for Mr. O. Clark, for the day.

Mr. Wilcox asked and obtained leave of absence for Messrs. Cogshall and White, for the day.

Mr. Mason asked and obtained leave of absence for Messrs. Curry and Horton, for the day.

Mr. Goodrich asked and obtained leave of absence for Mr. Klein, for the day.

Mr. Mason asked and obtained leave of absence for Mr. Huston, for the day.

Mr. Davis asked and obtained leave of absence for Messrs. Murray and Stannard, for the day.

Mr. Rowson asked and obtained leave of absence for Mr. J. A. Williams, for the day.

Mr. Bostwick asked and obtained leave of absence for Mr. Hutchinson, for the day.

#### PRESENTATION OF PETITIONS.

By Mr. Fuller: petition of John Bigelow and 19 others, praying the appropriation of swamp land to build a bridge across the Muskegon river, at Big Rapids.

Referred to the committee on public lands.

By Mr. Fuller: petition of D. J. Brewer and 32 others, for a State road from Isabella, in Isabella county, to intersect the Midland and Traverse Bay State road.

Referred to the committee on roads and bridges.

By Mr. W. D. Williams: memorial of James Mercér, Lewis M. Dickens and 148 others, citizens of Ontonagon county, asking the Legislature to cede the Upper Peninsula to the General Government, for the purpose of organizing a Territory therefrom;

Also: memorial of D. P. Waite, Wm. Harris and 44 others, citizens of Ontonagon county, for the same purpose;

Also: memorial of A. J. Corey and 133 others, citizens of Ontonagon county, for the same purpose.

Referred to the committee on federal relations.

By Mr. Wendell: petition of C. L. DeCennick, Stanislaus, Legardt, Medard Metevier, Wm. E. Maltby and 33 others, citizens of Cheboygan county, praying for the relief of Wm. King, relating to his swamp land claim.

Referred to the committee on public lands.

By Mr. Fenner: petition of M. L. Kellogg and 40 others, asking an appropriation of swamp lands, to grade certain hills on the Port Austin and Sanilac State road, in Sanilac county.

Referred to the committee on public lands.

By Mr. Riford: petition of James H. Marvin, W. M. Baldwin, C. C. Perry and 27 others, asking the passage of a law, authorizing the township of Watervliet to refund certain moneys, expended in raising volunteers by John Parsons;

Also: petition of W. W. Allen, Abram Yates and 40 others, for the same purpose.

Referred to the committee on military affairs.

By Mr. Riford: petition of Hon. W. Chapman, James C. Parriah, B. C. Hoyt and 57 others, asking that a law be passed for the protection of shade and ornamental trees along the highways in the county of Berrien.

Referred to the committee on the judiciary.

By Mr. Swift: remonstrance of John Owen, David Preston

and 29 others, against the repeal of act 362, of session laws of 1867, in relation to the Duncan, Alpena and Sauble river State road.

Referred to the committee on public lands.

By Mr. McKernan: memorial of Col. W. B. Wright and 59 others, citizens of Keweenaw county, asking the Legislature to cede the Upper Peninsula to the general government, for the purpose of organizing a territory therefrom.

Referred to the committee on federal relations.

By Mr. Rowson: petition of Joseph Smith and 45 others, of Hillsdale county, asking the establishment of departments in connection with the colleges of this State, for normal instruction of teachers for public schools.

Referred to the committee on education.

By Mr. Davis: remonstrance of H. P. Ferry, John Eldred and 156 others, citizens of Kent county, against amending the charter of the city of Grand Rapids, so as to allow the aldermen of each ward to sit as members on the board of supervisors;

Also: remonstrance of J. Hayne and 81 others, citizens of Kent county, against the same;

Also: remonstrance of W. H. Murray and 89 others, citizens of Kent county, against the same.

Referred to the committee on banks and incorporations.

#### REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 71, entitled

A bill to amend sections 12, 16 and 26, of chapter 123, of the revised statutes of 1846, of forcible entries and detainers, being sections 4985, 4989 and 4999, of the compiled laws, and to repeal act No. 94, of the session laws of 1867, approved March 25, 1867.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass.



and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 2, of act No. 231, of the session laws of 1859, relative to fees of clerks in supreme courts,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State Prison:

The committee on State Prison, to whom was referred Senate manuscript bill, entitled

A bill to amend section 2, of chapter 172, of the revised statutes of 1846, being section §160 of the compiled laws, touching the appointment of inspectors for the State Prison,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

F. B. STOCKBRIDGE, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

## MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, Feb. 24, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved,* (the House concurring,) That joint rule No. 14 be rescinded;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

On motion of Mr. Mead,

The House concurred in the adoption of the resolution.

## THIRD READING OF BILLS.

On motion of Mr. McKernan,

The order of third reading of bills was passed over.

## UNFINISHED BUSINESS,

Being the consideration of the following:

*Whereas,* The petitions and other papers on which Executive clemency and pardons of convicts in State Prison have been granted for the last four years, are not on file in the office of the Governor of this State, where, in the opinion of the Legislature they should be; therefore, be it

*Resolved,* (the Senate concurring,) That ex-Governor Crapo be and he is hereby respectfully requested to forward all papers now in his possession, on which pardons of convicts have been based, to the Governor of this State, that they may be filed in the archives of that office.

On motion of Mr. Stockbridge,

The concurrent resolution was adopted.

## GENERAL ORDER.

On motion of Mr. Mead,

The House went into committee of the whole, on the general order,

Mr. Fenner in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 80, entitled

A bill to prevent obstructions being so placed in the channel of the north fork of Bad river, or any of its branches, in the counties of Gratiot and Saginaw, as to prevent the free passage of fish up or down said streams;

2. House bill No. 82, entitled

A bill to amend section 7, of act No. 160, of the session laws of 1861, relative to proceedings against garnishees, and for other purposes, approved March 15, 1861;

3. Senate bill No. 28, entitled

A bill to amend act No. 202, of the session laws of 1863, approved March 20, 1863, entitled "An act to amend section 23, of the revised statutes of 1846," entitled "of offenses against public justice," the same being section 5842, of the compiled laws;

4. House bill No. 91, entitled

A bill to amend section 1 of an act entitled "An act rendering persons disqualified for sitting as jurors in certain cases," approved March 27, 1867, being act No. 129, of the session laws of 1867;

5. House bill No. 94, entitled

A bill to legalize the action of certain towns in the counties of Livingston, Washtenaw and Wayne, in voting aid to the Detroit and Howell railroad;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled joint resolution:

House joint resolution No. 18, entitled

Joint resolution for the relief of Hiram Ransom;

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

The committee of the whole have also had under consideration the following entitled bill:

6. House bill No. 21, entitled

A bill to amend section 4, of act No. 108, of the session laws of 1862, entitled "An act to amend an act entitled an act to provide for the settlement and drainage of swamp lands by actual settlers;"

Have directed their chairman to report the same back to the House, with the recommendation that it be recommitted to the committee on public lands.

The committee of the whole have also had under consideration the following entitled bill:

7. House bill No. 73, entitled

A bill to incorporate the village of Lawrence, in the county of Van Buren;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

GEORGE H. FENNER, *Chairman.*

Report accepted and committee discharged.

The first five named bills were placed on the order of third reading.

On motion of Mr. R. V. Briggs,

The House concurred in the action of the committee in striking out all after the enacting clause of the joint resolution.

On motion of Mr. Yawkey,

The enacting clause was laid on the table.

On motion of Mr. Wilcox,

The House concurred in the recommendation of the commit-

tee, in reference to the sixth named bill, and the same was recommitted to the committee on public lands.

On motion of Mr. Sanford,

The amendments made to the seventh named bill by the committee were concurred in, and the bill was placed on the order of third reading.

Mr. Norton moved that the House adjourn;

Which motion did not prevail.

On motion of Mr. Cameron,

The House took a recess until this afternoon at half-past two o'clock.

—  
AFTERNOON SESSION.

2½ o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

By unanimous consent, Mr. Stockbridge introduced the following:

**CONCURRENT RESOLUTION** relative to the legislative excursion to the Deaf, Dumb and Blind Asylum, at the city of Flint.

*Whereas*, The Legislature of the State of Michigan did accept the invitation of the Trustees of the Deaf, Dumb and Blind Asylum, to visit that institution at the city of Flint, on the 26th ult., and also the invitations of the city municipalities of the cities of Saginaw, Bay, East Saginaw, Flint and Owosso;

*And whereas*, The Jackson, Lansing and Saginaw railroad company, the Flint and Pere Marquette railroad company, together with the Detroit and Milwaukee railway company, having tendered their respective roads, cars and engines for the purpose of conveying the parties on said excursion;

*And whereas*, The Michigan Central Railroad Company having also placed at the disposal of the other railway companies, the free use of one of their magnificent "Pullman's palace cars," as a reception car for His Excellency, Henry P. Baldwin, the

Governor of the State of Michigan, the State officers and the members of the Legislature; therefore,

*Resolved*, (the Senate concurring,) That the well-merited thanks of this Legislature be and the same are unanimously given to the Trustees of the Asylum for the Deaf, Dumb and Blind, at the city of Flint, for the highly creditable manner in which they were received at their noble institution—reflecting as it did, the highest honor upon our State, and upon Egbert L. Bangs, A. M., the Principal, and the various teachers connected with it.

*Resolved*, That the more than generous offer of the Jackson, Lansing and Saginaw railroad company, the Flint and Pere Marquette railroad company, the Detroit and Milwaukee railway company, and the Michigan Central railroad company, to convey, without any compensation whatever, to and from Lansing, a distance exceeding 230 miles, the Executive of the State, the State officers, the members of both Houses of the Legislature, together with over one hundred and fifty other invited guests, is, we believe, without a parallel in the history of railroads in our State, and richly deserves at our hands this public acknowledgment for their magnanimity, and fully entitles them in the future, as in the past, to the confidence and support of the citizens of our State.

*Resolved*, That in accepting the invitation of the municipalities of the cities of Saginaw, Bay, East Saginaw, Flint and Owosso, and the open-hearted citizens of the same, wherein the wants and necessities of the inner-man were more than supplied, we hereby place upon record our faithful and sincere thanks, and assure our friends in these localities that we shall, for many a year, speak from the heart of their generous welcome, and hospitable cheer.

*Resolved*, That from the commencement of the excursion to our safe return to the Capitol, that much of our comfort and happiness depended upon the admirable arrangements made by the Hon. J. B. Walker, chairman of the Board of Trustees of the Asylum at Flint, and also to the Hon. O. M. Barnes,

managing director of the Jackson, Lansing and Saginaw railroad, and to Col. E. H. Thomson, of Flint.

*Resolved*, That His Excellency, the Governor of the State, be respectfully requested to transmit copies of the foregoing preamble and resolutions, under the great seal of the State, to the presidents of the various railroads herein mentioned; to the mayors of the respective cities, and to the gentlemen herein named.

On motion of Mr. Stockbridge,

The rule requiring a concurrent resolution to lie on the table for one day was suspended.

The concurrent resolution was then adopted.

On motion of Mr. McKernan,

The House took up the order of

#### THIRD READING OF BILLS.

Senate bill No. 33, entitled

A bill transferring all moneys from the soldiers' relief fund and soldiers' home fund to the military fund,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Grant,	Mr. Rowison,
Avery,	Hartson,	Sanford,
Baxter,	Hubbard,	Seward,
Beall,	Hunt,	Shier,
Blake,	Hurlbut,	Stewart,
Bostwick,	Ingersoll,	Stockbridge,
Boynton,	Kingsley,	Swift,
G. G. Briggs,	Klein,	Ternes,
Cameron,	Lee,	Thompson,
B. Clark,	Lovell,	Vowles,
Crane,	Mason,	Walker,
Davis,	McCowen,	Ward,
Doty,	McKernan,	Weier,
Dusseau,	Mead,	Wendell,
Eck,	Miller,	Wilcox,
Elliott,	Millington,	H. G. Williams,
Fenner,	Mitchell,	W. D. Williams,
Fuller,	Norton,	Woodard,

Gay,  
Gifford,  
Goodrich,

Osborn,  
Purcell,  
Riford,  
NAYS.

Yawkey,  
Speaker,  
62  
0

Title agreed to.

On motion of Mr. G. G. Briggs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House joint resolution No. 10, entitled,

Joint resolution asking Congress for an appropriation of money to improve Portage Lake and river, in Houghton county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
Boynton,  
G. G. Briggs,  
Cameron,  
B. Clark,  
O. Clark,  
Crossman,  
Davis,  
Doty,  
Dunnean,  
Eck,  
Elliott,  
Fuller,  
Gay,  
Gifford,

Mr. Goodrich,  
Grant,  
Hartson,  
Hubbard,  
Hunt,  
Hurlbut,  
Ingersoll,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lee,  
Lovell,  
Massen,  
McCowen,  
McKernan,  
Millington,  
Mitchell,  
Norton,  
Purcell,  
Putnam,

Mr. Riford,  
Sanford,  
Seward,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Vowles,  
Wagner,  
Walker,  
Ward,  
Weier,  
Wendell,  
Wilcox,  
H. G. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker,

61

NAYS.

Mr. R. V. Briggs, Mr. Crane,

2

Title and preamble agreed to.

House joint resolution No. 11, entitled

Joint resolution asking Congress for an appropriation of



money to improve the harbor at the mouth of the Cheboygan river, on the Straits of Mackinaw,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Gay,	Mr. Riford,
Avery,	Gifford,	Sanford,
Barnaby,	Goodrich,	Seward,
Baxter,	Grant,	Shier,
Beall,	Hartson,	Stewart,
Blake,	Hubbard,	Stockbridge,
Bostwick,	Hunt,	Swift,
Boynston,	Hurlbut,	Tarnes,
G. G. Briggs,	Ingersoll,	Thompson,
R. V. Briggs,	F. G. Kendrick,	Vowles,
Cameron,	Kingsley,	Wagner,
B. Clark,	Klein,	Walker,
O. Clark,	Lee,	Ward,
Crane,	Lovell,	Weier,
Davis,	Mason,	Wendell,
Doty,	McCowan,	Wilcox,
Dusseau,	McKernan,	H. G. Williams,
Eaton,	Millington,	W. D. Williams,
Eck,	Mitchell,	Woodard,
Elliott,	Norton,	Yawkey,
Fenner,	Purcell,	Speaker,
Fuller,	Putnam,	

65

## NAYS.

Mr. Mead,	Mr. Miller,	2
-----------	-------------	---

Title and preamble agreed to.

House joint resolution No. 12, entitled

Joint resolution asking the general government for a grant of land, to aid in the construction of the Mineral Range railroad,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Grant,	Mr. Riford,
Barnaby,	Hartson,	Rowlson,
Baxter,	Hubbard,	Sanford,
Beall,	Hunt,	Seward,
Blake,	Hurlbut,	Shier,

Boynton,	Ingersoll,	Stewart,
Cameron,	F. G. Kendrick,	Stockbridge,
B. Clark,	Kingsley,	Swift,
O. Clark,	Klein,	Ternes,
Crossman,	Lee,	Thompson,
Davis,	Lovell,	Vowles,
Doty,	Mason,	Wagner,
Dusseau,	McCowen,	Walker,
Eaton,	McKernan,	Weier,
Eck,	Mead,	Wendell,
Fenner,	Millington,	H. G. Williams,
Fuller,	Mitchell,	W. D. Williams,
Gay,	Norton,	Woodard,
Gifford,	Purcell,	Yawkey,
Goodrich,	Putnam,	Speaker, 60

## NAYS.

Mr. Avery,	Mr. R. V. Briggs,	Mr. Miller,
Bostwick,	Crane,	Ward,
G. G. Briggs,	Elliott,	Wilcox, 9

Title and preamble agreed to.

House joint resolution No. 13, entitled

Joint resolution for the relief of Alanson Holbrook,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Gifford,	Mr. Riford,
Avery,	Goodrich,	Rowlson,
Barnaby,	Grant,	Sanford,
Baxter,	Hartson,	Seward,
Beall,	Hubbard,	Shier,
Blake,	Hunt,	Stewart,
Bostwick,	Hurlbut,	Stockbridge,
Boynton,	Ingersoll,	Swift,
G. G. Briggs,	F. G. Kendrick,	Ternes,
R. V. Briggs,	Kingsley,	Thompson,
Cameron,	Klein,	Vowles,
B. Clark,	Lee,	Wagner,
O. Clark,	Lovell,	Walker,
Crane,	Mason,	Ward,
Davis,	McCowen,	Weier,
Doty,	McKernan,	Wendell,
Dusseau,	Mead,	Wilcox,
Eaton,	Miller,	H. G. Williams,
Eck,	Millington,	W. D. Williams,

Elliott,	Mitchell,	Woodard,	
Fenner,	Norton,	Yawkey,	
Fuller,	Purcell,	Speaker,	
Gay,	Putnam,		68
	NAYS.		0

Title and preamble agreed to.

On motion of Mr. Sanford,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

House bill No. 83, entitled

A bill to organize the township of Monitor, in Bay county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Gifford,	Mr. Riford,
Avery,	Goodrich,	Rowlson,
Barnaby,	Grant,	Sanford,
Baxter,	Hartson,	Seward,
Beall,	Hubbard,	Shier,
Blake,	Hunt,	Stewart,
Bostwick,	Hurlbut,	Stockbridge,
Boynton,	F. G. Kendrick,	Swift,
G. G. Briggs,	Kingsley,	Ternes,
R. V. Briggs,	Klein,	Thompson,
Cameron,	Lee,	Vowles,
B. Clark,	Lovell,	Wagner,
O. Clark,	Mason,	Walker,
Crane,	McCowen,	Ward,
Crossman,	McKernan,	Weier,
Davis,	Mead,	Wendell,
Doty,	Miller,	Wilcox,
Eaton,	Millington,	H. G. Williams,
Eck,	Mitchell,	W. D. Williams,
Elliott,	Osborn,	Woodard,
Fenner,	Purcell,	Yawkey,
Fuller,	Putnam,	Speaker,
Gay,		

67

NAYS.

0

Title agreed to.

On motion of Mr. Yawkey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 42, entitled

A bill transferring all moneys in the contingent fund to the general fund,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
Boynton,  
G. G. Briggs,  
R. V. Briggs,  
Cameron,  
B. Clark,  
O. Clark,  
Crane,  
Crossman,  
Davis,  
Doty,  
Dusseau,  
Eaton,  
Eck,  
Elliott,  
Fenner,  
Fuller,

Mr. Gay,  
Gifford,  
Goodrich,  
Grant,  
Hartson,  
Hubbard,  
Hunt,  
Hurbutt,  
Ingersoll,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lee,  
Lovell,  
Mason,  
McCowan,  
McKerspan,  
Mead,  
Miller,  
Millington,  
Mitchell,  
Norton,  
Parsell,

Mr. Putnam,  
Riford,  
Rowlson,  
Sanford,  
Seward,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Vowler,  
Wagner,  
Walker,  
Ward,  
Weier,  
Wendell,  
Wilcox,  
H. G. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker,

68

NAYS.

0

Title agreed to.

House bill No. 79, entitled

A bill to legalize the special township meeting of the township of Saugatuck, in the county of Allegan, held in said township January 22d, A. D. 1869,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,

Mr. Gay,  
Gifford,  
Goodrich,  
Hartson,

Mr. Putnam,  
Putnam,  
Riford,  
Rowlson,

Beall,	Hubbard,	Sanford,
Blake,	Hunt,	Seward,
Bostwick,	Hurlbut,	Stewart,
Boynnton,	Ingersoll,	Stockbridge,
G. St. Briggs,	F. G. Kendrick,	Swift,
R. V. Briggs,	Kingsley,	Ternes,
Cameron,	Klein,	Vowles,
B. Clark,	Lee,	Wagner,
O. Clark,	Lowell,	Walker,
Cramer,	Mason,	Ward,
Crummery,	McCormen,	Weier,
Davis,	McKean,	Wendell,
Doy,	Mead,	Wilcox,
Duncan,	Miller,	H. G. Williams,
Eaton,	Millington,	W. D. Williams,
Eck,	Mitchell,	Woodard,
Elliott,	Norton,	Yawkey,
Fenner,	Plimpton,	Speaker,
Fuller,		

67

## NAYS

0

Title agreed to.

On motion of Mr. Stockbridge,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 104, entitled

A bill to amend act No. 246, of the session laws of 1867 being an act to amend an act entitled "an act to connect the Duncan, Alpena and Sauble river State road, with the East Seginaw and Sauble river State road," by adding one new section thereto, to stand as section five,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Boynton moved to amend by adding to recited section five, after the words "to do," in line 14, the following:

"The said special commissioner shall receive for his services while actually engaged in the discharge his official duties, the same compensation per diem, and in like manner as is now provided by law for local commissioners of swamp land State roads;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
Boynton,  
G. G. Briggs,  
R. V. Briggs,  
Cameron,  
B. Clark,  
O. Clark,  
Crane,  
Crossman,  
Davis,  
Doty,  
Dussean,  
Eaton,  
Eck,  
Elliott,  
Fenner,  
Fuller,

Mr. Gay,  
Gifford,  
Goodrich,  
Grant,  
Hartson,  
Hubbard,  
Hunt,  
Hurlbut,  
Ingersoll,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lee,  
Lovell,  
Mason,  
McCowen,  
McKernan,  
Mead,  
Miller,  
Millington,  
Mitchell,  
Norton,  
Osborn,

Mr. Plimpton,  
Putnam,  
Riford,  
Rowlson,  
Sanford,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Vowles,  
Wagner,  
Walker,  
Ward,  
Weier,  
Wendell,  
Wilcox,  
H. G. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker,

68

## NAYS.

0

Pending the announcement of the vote,

On motion of Mr. Cameron,

Mr. Purcell was excused from voting.

Title agreed to.

On motion of Mr. Boynton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 88, entitled

A bill to change the name of Albert Jennings, Jr., to Albert Spear Hitchcock, and to make him the heir-at-law of John S. Hitchcock and Elizabeth P. Hitchcock,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Avery,	Mr. Gay,	Mr. Plimpton,
Barnaby,	Gifford,	Purcell,
Baxter,	Grant,	Putnam,
Blake,	Hartson,	Riford,
Bostwick,	Hunt,	Rowlson,
Boynston,	Hurlbut,	Sanford,
G. G. Briggs,	Ingersoll,	Stewart,
R. V. Briggs,	F. G. Kendrick,	Stockbridge,
Cameron,	Kingale,	Swift,
B. Clark,	Klein,	Ternes,
O. Clark,	Lee,	Vowles,
Crane,	Lovell,	Wagner,
Crossman,	Mason,	Walker,
Davis,	McCowen,	Weier,
Doty,	McKernan,	Wendell,
Dusseau,	Mead,	Wilcox,
Eaton,	Miller,	H. G. Williams,
Eck,	Millington,	W. D. Williams,
Elliott,	Mitchell,	Woodard,
Fenner,	Norton,	Yawkey,
Fuller,	Osborn,	Speaker, 63
	NAYS.	0

Title agreed to.

On motion of Mr. Ingersoll,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 92, entitled

A bill to prevent trespass upon cranberry marshes,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Miller moved to amend, by inserting before the word "premises," in the first line of section one, the word "enclosed;"

Which amendment was withdrawn.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Fenner,	Mr. Osborn,
Avery,	Fuller,	Purcell,
Barnaby,	Gay,	Putnam,
Baxter,	Gifford,	Riford,
Beall,	Grant,	Rowlson,

Blake,	Hartson,	Sanford,
Bostwick,	Hubbard,	Stewart,
Boynton,	Ingersoll,	Stockbridge,
G. G. Briggs,	F. G. Kendrick,	Swift,
R. V. Briggs,	Kingsley,	Thompson,
Cameron,	Klein,	Vowles,
B. Clark,	Lee,	Wagner,
O. Clark,	Levall,	Ward,
Crane,	Mason,	Weir,
Crossman,	McCowan,	Wendell,
Davis,	McKernan,	Wilcox,
Doty,	Mead,	H. G. Williams,
Dussean,	Miller,	W. D. Williams,
Eaton,	Millington,	Woodard,
Eck,	Mitchell,	Yawkey,
Elliott,	Norton,	Speaker, 63

## NAYS.

Mr. Goodrich,	Mr. Plimpton,	Mr. Ternes,
Hurlbut,		

4

Title agreed to.

Mr. Blake moved that the bill be ordered to take immediate effect;

Which motion did not prevail.

House bill No. 85, entitled

A bill for the protection of fish in the waters of the inland lakes and streams of the county of Kalamazoo,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Levall moved that the bill be laid on the table;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Fenner,	Mr. Osborn,
Avery,	Fuller,	Putnam,
Barnaby,	Gay,	Riford,
Baxter,	Gifford,	Rowlson,
Beall,	Grant,	Sanford,
Blake,	Hubbard,	Stewart,
Bostwick,	Hurlbut,	Stockbridge,
Boynton,	Ingersoll,	Swift,
G. G. Briggs,	F. G. Kendrick,	Ternes,



Cameron,	Kingsley,	Wagner,
E. Clark,	Klein,	Walker,
O. Clark,	Lee,	Weier,
Crane,	Mason,	Wendell,
Crossman,	McKernan,	Wilcox,
Davis,	Mead,	H. G. Williams,
Doty,	Miller,	W. D. Williams,
Dunson,	Millington,	Yawkey,
Eaton,	Mitchell,	Speaker,
Eck,	Norton,	

56

## NAMES.

Mr. R. V. Briggs,	Mr. Lovell,	Mr. Vowler,
Elliott,	Plimpton,	Ward,
Goodrich,	Purcell,	Woodard,
Hartson,	Thompson,	

11

Pending the announcement of the vote,

Mr. Goodrich moved that Mr. Swift be excused from voting;

Which motion did not prevail.

Mr. Swift then voted as recorded above.

Mr. Gifford moved that Mr. Ward be excused from voting;

Which motion did not prevail.

Mr. Ward then voted as recorded above. .

Title agreed to.

Mr. Cameron moved that the bill be ordered to take immediate effect;

Which motion did not prevail.

House bill No. 96, entitled

A bill to organize the township of Mayfield, in the county of Lapeer,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Gay,	Mr. Plimpton,
Avery,	Gifford,	Purcell,
Barnaby,	Goodrich,	Putnam,
Baxter,	Grant,	Riford,
Beall,	Hartson,	Rowlson,
Blake,	Hubbard,	Sanford,
Bostwick,	Hurlbut,	Stewart,
Boynston,	Ingersoll,	Stockbridge,
G. G. Briggs,	F. G. Kendrick,	Swift,

<del>Mr.</del> R. V. Briggs,	Kingsley,	Ternes,
Cameron.	Klein,	Thompson,
B. Clark,	Lee,	Vowles,
O. Clark,	Lovell,	Wagner,
Crane,	Mason,	Walker,
Crossman,	McCowen,	Ward,
Davis,	McKernan,	Weier,
Doty,	Mead,	Wendell,
Dusseau,	Miller,	Wilcox,
Eaton,	Millington,	H. G. Williams,
Eck,	Mitchell,	W. D. Williams,
Elliott,	Norton,	Yawkey,
Fenner,	Osborn,	Speaker,
Fuller,		
	NAYS.	67
		0

Title agreed to.

On motion of Mr. Dusseau,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 54, entitled

A bill to regulate the manufacture, and provide for the inspection of salt,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Fuller,	Mr. Mitchell,
Avery,	Gay,	Norton,
Barnaby,	Gifford,	Osborn,
Baxter,	Goodrich,	Putnam,
Beall,	Grant,	Riford,
Blake,	Hartson,	Rowlson,
Bostwick,	Hubbard,	Sanford,
Boynnton,	Hurlbut,	Stewart,
G. G. Briggs,	Ingersoll,	Stockbridge,
Cameron,	F. G. Kendrick,	Swift,
B. Clark,	Kingsley,	Thompson,
O. Clark,	Klein,	Vowles,
Crane,	Lee,	Walker,
Crossman,	Lovell,	Weier,
Davis,	Mason,	Wendell,
Doty,	McCowen,	Wilcox,
Dusseau,	McKernan,	H. G. Williams,
Eaton,	Mead,	W. D. Williams,

Eck,  
Fenner,

Miller,  
Millington,

Yawkey,  
Speaker,

60

## NAYS.

Mr. R. V. Briggs,  
Elliott,

Mr. Plimpton,

Mr. Purcell,

4

Title agreed to.

Mr. Grant moved that the bill be ordered to take immediate effect;

Which motion did not prevail.

Mr. Mead moved that there be a call of the House;

Which motion prevailed.

## PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members were reported absent without leave:

Messrs. Eaton, Hunt, Hutchinson, Lane, Newman, Shier, Sickels, Smith, Snell, Westover and Woodard.

Mr. Yawkey asked and obtained leave of absence for Mr. Westover, for the day.

Mr. W. D. Williams asked and obtained leave of absence for Mr. Snell, for the day.

Mr. Cameron moved that all further proceedings under the call be dispensed with;

Which motion did not prevail.

On motion of Mr. Wilcox,

The Sergeant-at-Arms was dispatched after the absentees.

The Sergeant-at-Arms announced Mr. Woodard at the bar of the House.

On motion of Mr. Ingersoll,

Mr. Woodard was admitted within the bar of the House rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Eaton at the bar of the House.

On motion of Mr. Yawkey,

Mr. Eaton was admitted within the bar of the House, rendered an excuse, and took his seat.

On motion of Mr. Plimpton,

All further proceedings under the call were dispensed with.

Mr. Grant moved that the vote by which the House refused to give the last named bill immediate effect, be reconsidered; Which motion prevailed.

By a vote of two-thirds of all the members elect, the bill was then ordered to take immediate effect.

House manuscript bill, entitled

A bill to legalize the tax roll of the township of Hancock, in the county of Houghton, for the year 1868, and to extend the time for the collection of taxes in the same,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Gay,	Mr. Riford,
Barnaby,	Gifford,	Rowlson,
Baxter,	Goodrich,	Sanford,
Beall,	Harrison,	Seward,
Blake,	Hubbard,	Stewart,
Bostwick,	Hurlbut,	Stockbridge,
Boynton,	Ingersoll,	Swift,
G. G. Briggs,	F. G. Kendrick,	Tarnes,
Cameron,	Kingsley,	Thompson,
B. Clark,	Klein,	Vowles,
O. Clark,	Lee,	Wagner,
Crane,	Mason,	Walker,
Crossman,	McCowen,	Weist,
Davis,	McKernan,	Wendell,
Doty,	Mead,	Wilcox,
Dussean,	Millington,	H. G. Williams,
Eaton,	Mitchell,	W. D. Williams,
Eck,	Norton,	Yawkey,
Fenner,	Osborn,	Speaker,
Fuller,		

28

#### NAYS.

Mr. Avery,	Mr. Grant,	Mr. Purcell,
R. V. Briggs,	Lovell,	Putnam,
Elliott,	Plimpton,	Woodard,

9

Title agreed to.

Mr. McKernan moved that the bill be ordered to take immediate effect;

Which motion did not prevail.

Mr. Stockbridge, by unanimous consent, moved to discharge the committee of the whole from the further consideration of Senate manuscript bill, entitled

A bill to amend section 2, of chapter 172, of the revised statutes of 1846, being section 6160 of the compiled laws, touching the appointment of Inspectors for the State prison;

Which motion prevailed.

On motion of Mr. Stockbridge,

The bill ~~was~~ placed on its immediate passage.

The bill ~~was~~ then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Gay,	Mr. Putnam,
Avery,	Gifford,	Riford,
Barnaby,	Goodrich,	Rowlson,
Baxter,	Grant,	Sanford,
Beall,	Hubbard,	Seward,
Blake,	Hurlbut,	Stewart,
Boatwick,	Ingersoll,	Stockbridge,
Boynton,	F. G. Kendrick,	Swift,
G. G. Briggs,	Kingsley,	Ternes,
R. V. Briggs,	Klein,	Thompson,
Cameron,	Lee,	Vowles,
B. Clark,	Loveff,	Wagner,
O. Clark,	Mason,	Walker,
Crane,	McCowen,	Ward,
Crossman,	McKernan,	Weier,
Davis,	Mead,	Wendell,
Doty,	Miller,	Wilcox,
Dusseau,	Millington,	H. G. Williams,
Eaton,	Mitchell,	W. D. Williams,
Eck,	Norton,	Woodard,
Elliott,	Osborn,	Yawkey,
Farmer,	Plimpton,	Speaker,
Fuller,	Purcell,	

68

## NAYS.

0

Title agreed to.

On motion of Mr. Stockbridge,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 55, entitled

A bill to incorporate the village of Burlington,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Gay,	Mr. Riford,
Avery,	Gifford,	Rowlson,
Barnaby,	Goodrich,	Sanford,
Baxter,	Grant,	Seward,
Blake,	Hubbard,	Stewart,
Bostwick,	Hurlbut,	Stockbridge,
Boynton,	Ingersoll,	Swift,
G. G. Briggs,	Kingsley,	Tarnes,
R. V. Briggs,	Klein,	Thompson,
Cameron,	Lee,	Vowles,
B. Clark,	Lovell,	Wagner,
Crane,	McCowen,	Walker,
Crossman,	McKernan,	Ward,
Davis,	Mead,	Weier,
Doty,	Miller,	Wendell,
Dussean,	Mitchell,	Wilcox,
Eaton,	Norton,	H. G. Williams,
Eck,	Osborn,	W. D. Williams,
Elliott,	Plimpton,	Woodard,
Fenner,	Purcell,	Yawkey,
Fuller,	Putnam,	Speaker,

63

NAYS.

0

Title agreed to.

On motion of Mr. Baxter,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 73, entitled

A bill to incorporate the village of Lawrence, in the county of Van Buren,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Gifford,	Mr. Putnam,
Avery,	Goodrich,	Riford,
Barnaby,	Grant,	Rowlson,
Baxter,	Hartson,	Sanford,
Blake,	Hubbard,	Seward,

Bostwick,	Hurlbut,	Stewart,
Boynton,	Ingersoll,	Stockbridge,
G. G. Briggs,	F. G. Kendrick,	Swift,
R. V. Briggs,	Kingsley,	Ternes,
B. Clark,	Klein,	Thompson,
O. Clark,	Lee,	Vowles,
Crane,	Lovell,	Wagner,
Crossman,	Mason,	Walker,
Davis,	McCowen,	Ward,
Doty,	McKernan,	Weier,
Dussseau,	Mead,	Wendell,
Eaton,	Miller,	Wilcox,
Eck,	Millington,	H. G. Williams,
Elliott,	Mitchell,	W. D. Williams,
Fenner,	Norton,	Woodard,
Fuller,	Osborn,	Yawkey,
Gay,	Plimpton,	Speaker, 66
	NAYS.	0

Title agreed to.

On motion of Mr. Sanford,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Norton moved that the House adjourn;

Which motion did not prevail.

House bill No. 91, entitled

A bill to amend section 1 of an act entitled "An act rendering persons disqualified for sitting as jurors in certain cases," approved March 27, 1867, being act No. 129, of the session laws of 1867,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Gifford,	Mr. Rowson,
Barnaby,	Goodrich,	Sanford,
Baxter,	Grant,	Seward,
Blake,	Hartson,	Stewart,
Bostwick,	Hubbard,	Stockbridge,
Boynton,	Hurlbut,	Swift,
G. G. Briggs,	Ingersoll,	Ternes,
R. V. Briggs,	F. G. Kendrick,	Thompson,
Cameron,	Kingsley,	Vowles,

B. Clark,	Klein,	Wagner,
O. Clark,	Lee,	Walker,
Crane,	Lovell,	Ward,
Crossman,	Mead,	Weier,
Davis,	Millington,	Wendell,
Doty,	Mitchell,	Wilcox,
Dusseau,	Norton,	H. G. Williams,
Eaton,	Osborn,	W. D. Williams,
Eck,	Plimpton,	Woodard,
Fenner,	Purcell,	Yawkey,
Fuller,	Riford,	Speaker,
Gay,		

61

## NAYS.

Mr. Beall,	Mr. Mason,	Mr. Putnam,
Elliott,	Miller,	

5

Title agreed to.

House bill No. 82, entitled

A bill to amend section seven, of act number one hundred and sixty, of the session laws of eighteen hundred and sixty-one, relative to proceedings against garnishees, and for other purposes, approved March fifteenth, eighteen hundred and sixty-one,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Gay,	Mr. Putnam,
Avery,	Gifford,	Riford,
Barnaby,	Goodrich,	Rowlson,
Baxter,	Grant,	Sanford,
Beall,	Hartson,	Seward,
Blake,	Hubbard,	Stewart,
Bostwick,	Hurlbut,	Stockbridge,
Boynton,	Ingersoll,	Swift,
G. G. Briggs,	F. G. Kendrick,	Ternes,
R. V. Briggs,	Kingsley,	Thompson,
Cameron,	Klein,	Vowles,
B. Clark,	Lee,	Wagner,
O. Clark,	Lovell,	Walker,
Crane,	Mason,	Ward,
Crossman,	McCowen,	Weier,
Davis,	Mead,	Wendell,
Doty,	Miller,	Wilcox,
Dusseau,	Millington,	H. G. Williams,



Eaton,	Mitchell,	W. D. Williams,
Eck,	Osborn,	Woodard,
Elliott,	Plimpton,	Yawkey,
Fenner,	Purcell,	Speaker,
Fuller,		

67

NAYS.

0

Title agreed to.

Mr. R. V. Briggs moved that the bill be ordered to take immediate effect;

Which motion did not prevail.

House bill No. 80, entitled

A bill to prevent obstructions being so placed in the channel of the north fork of Bad river, or any of its branches in the counties of Gratiot and Saginaw, as to prevent the free passage of fish up or down said streams.

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Gay,	Mr. Putnam,
Avery,	Gifford,	Riford,
Barnaby,	Goodrich,	Rowlson,
Baxter,	Grant,	Sanford,
Beall,	Hartson,	Seward,
Blake,	Hubbard,	Stewart,
Bostwick,	Hurlburt,	Stockbridge,
Boynnton,	Ingersoll,	Swift,
G. G. Briggs,	F. G. Kendrick,	Ternes,
R. V. Briggs,	Kingsley,	Thompson,
Cameron,	Klein,	Vowler,
B. Clark,	Lee,	Wagner,
O. Clark,	Lovell,	Walker,
Crane,	McCowen,	Ward,
Crossman,	Mead,	Weier,
Davis,	Miller,	Wendell,
Doty,	Millington,	Wilcox,
Dusseau,	Mitchell,	H. G. Williams,
Eaton,	Norton,	W. D. Williams,
Eck,	Osborn,	Woodard,
Elliott,	Plimpton,	Yawkey,
Fenner,	Purcell,	Speaker,
Fuller,		

67

## NAYS.

Mr. Mason,

1

Title agreed to.

On motion of Mr. H. G. Williams,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 101, entitled

A bill to amend sections 10 and 17, of act No. 163, of session laws of 1861, being an act relative to laying out, altering or discontinuing highways,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Mead moved to amend line 5, of section 2, by striking out the word "ten," between "used" and "years," and inserting the word "fifteen" in lieu thereof;

On motion of Mr. Ingersoll,

The bill was recommitted to the committee on roads and bridges.

On motion of Mr. Baxter,

The House adjourned until to-morrow morning at 9 o'clock.

---

*Lansing, Tuesday, March 2, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Fitch.

Roll called: quorum present.

Absent without leave: Messrs. Jewell, L. Kendrick, Lane, Newman, Riopelle, Sheldon and Vowles.

Mr. Yawkey asked and obtained leave of absence for Mr. Lane, for an indefinite time, on account of sickness.

Mr. Romeyn asked and obtained leave of absence for Mr. Riopelle, for the day.

Mr. Westover asked and obtained leave of absence for Mr. Newman, for the day.

Mr. O. Clark asked and obtained leave of absence for Mr. Sheldon, for the day.

PRESENTATION OF PETITIONS.

By Mr. G. G. Briggs: petition of H. W. Blanchard, Wm. H. Pratt, H. R. Dingman, A. W. Bissell, L. Hungerford and 30 others, citizens of Ionia county, praying for the passage of the bill to establish in connection with the colleges, a department for the normal instruction of teachers.

Referred to the committee on education.

By Mr. Baxter: remonstrance of H. Hill and 79 others, citizens of Petersburg and its vicinity, against the incorporation of the village of Petersburg.

Referred to the committee on banks and incorporations.

By Mr. Baxter: remonstrance of A. S. Bell, John Armstrong and 118 others, citizens of Jackson, against extending the limits of the city of Jackson;

Also: remonstrance of Dwight Merriman and 37 others, citizens of Jackson, against the same;

Also: remonstrance of C. P. Russell, L. A. Post and 44 others, citizens of Jackson, against the same;

Also: remonstrance of P. B. Loomis, J. B. Tomlinson, and 50 other citizens of Jackson, against the same;

Also: remonstrance of F. W. Kirtland and 28 others, citizens of Jackson, against the same.

Referred to the committee on banks and incorporations.

By Mr. H. G. Williams: memorial of Daniel Corey and 59 others, citizens of Menominee county, asking that the Upper Peninsula of Michigan be ceded to the General Government, for the purpose of creating a Territory therefrom;

Also: memorial of A. R. Bradbury and 107 others, citizens of Menominee county, for the same purpose;

Also: memorial of John Neville and 60 others, citizens of Menominee county, for the same purpose;

Also: memorial of E. S. Ingalls and 59 others, citizens of Menominee county, for the same purpose;

Also: memorial of Thomas Stephenson and 59 others, citizens of Menominee county, for the same purpose;

Also: memorial of M. A. Stephenson and 59 others, citizens of Menominee county, for the same purpose;

Also: memorial of J. B. Smith and 50 others, citizens of Menominee county, for the same purpose.

Referred to the committee on federal relations.

By Mr. Klein: petition of C. I. Walker and 162 others, citizens of Wayne county, praying for the passage of the bill for the establishment of departments in connection with our colleges, for the normal instruction of teachers.

Referred to the committee on education.

By Mr. Ternes: petition of Charles S. Smith and 39 others, asking an appropriation of swamp lands to aid in grading the hills of the Port Austin and Sanilac State road, in Sanilac county;

Also: petition of Wm. R. Stafford and 33 others, for the same purpose;

Also: petition of Chas S. McKee and 43 others, for the same purpose;

Also: petition of A. Shewfelt and 29 others, for the same purpose.

Referred to the committee on public lands.

By Mr. Crossman: memorial of the president, cashier and directors of the Second National Bank of Lansing, relative to certain moneys collected by the State as a specific tax upon banks.

On motion of Mr. Mead,

The memorial was referred to the committee on ways and means, and was ordered printed in the journal.

The following is the memorial:

*To the Honorable Senate and House of Representatives of the State of Michigan:*

Your petitioners respectfully represent that the State Treasurer, from time to time, during the years 1867 and 1868, made requirement of the Second National Bank of Lansing, under

act No. 122, laws of 1867, to pay specific taxes; which the bank, not wishing to enter into conflict with the State, paid in full, at the same time claiming and protesting that said taxes were wrongfully imposed and demanded.

Your petitioners further represent that a large number of the National banks of this State refused to pay specific taxes, in whole or in part, under said act, and have been sustained in such refusal by the Supreme Court of this State, on the ground that the act is unconstitutional, and in conflict with the laws of the United States.

Your petitioners further represent that the act of payment under the circumstances enumerated, rests as an unequal burden on the banks who paid, which ought not, of right, to remain.

Your petitioners also represent and claim that the amounts so paid should be returned by the State, with interest, and respectfully pray you to enact a law which shall secure their rights, and return to them the amounts paid, and interest.

J. I. MEAD, Pres't,  
E. LONGYEAR, Vice Pres't,  
JOSEPH MILLS, Cashier,  
H. INGERSOLL,  
J. L. LANTERMAN,

*Officers and Directors, in behalf of the  
Second National Bank of Lansing, Mich.*

LANSING, Feb. 23, 1869.

By Mr. Sickels: petition of H. C. Smith and 48 others, citizens of Clinton county, praying the passage of the bill to provide for the departments in connection with our colleges, for the normal instruction of teachers.

Referred to the committee on education.

By Mr. Davis: remonstrance of Albert Bracket and 25 others, citizens of Sparta, Kent county, against amending the charter of the city of Grand Rapids, giving said city increased representation on the county board of supervisors;

Also: remonstrance of W. H. Taylor and 40 others, against the same;

Also: remonstrance of A. G. Chase and 46 others, against the same;

Also: remonstrance of Edwin Bradford and 25 others, against the same.

Referred to the committee on banks and incorporations.

By Mr. Eaton: petition of James O'Donnell and 206 others, asking an extension of the limits of the city of Jackson, to three miles square;

Also: petition of E. H. Webster and 245 others, for the same purpose;

Also: petition of W. H. Palmer and 111 others, for the same purpose.

Referred to the committee on banks and incorporations.

By Mr. Norton: memorial of the citizens of Spring Lake, asking for a charter for Spring Lake.

Referred to the committee on banks and incorporations.

By Mr. Snell: petition of C. H. Gallup and 6 others, praying for an appropriation of swamp land to aid in grading the hills on the Port Austin and Sanilac State road.

Referred to the committee on public lands.

By Mr. Ward: petition of C. G. Munson and 15 others, for the relief of George B. Munson.

Referred to the committee on State affairs.

By Mr. Boynton: memorial of E. W. King, and 10 other citizens of St. Clair county, asking for provision to be made for payment of services rendered to the State by them, as volunteers, in the year 1861.

On motion of Mr. Hartson,

The memorial was referred to the committee on military affairs, and was ordered printed in the journal.

The following is the memorial:

*To the Senate and House of Representatives of the State of Michigan:*

The undersigned, Michigan volunteers, respectfully represent that we enlisted in the State service in June, 1861, and were paid by State paymaster up to August 1st, at which time

we were ordered into various parts of the State on recruiting service, and were again mustered into the United States service August 28th, 1861; that we have been paid since August 28th, 1861, by the United States, and prior to August 1st, 1861, by the State of Michigan; that during the period from August 1st, 1861, up to August 28th, 1861, we have not been paid, although in the service of the State and acting under its orders. We therefore pray that your Honorable bodies will take such action in the premises as will secure us the payment for the period above mentioned, during which we faithfully served the State as aforesaid; and we will ever pray, &c.

Eliphalet W. King, Serg't Co. G., 5th Mich. Inf.

Charles W. Carleton, " " " " " "

John Collins, 1st Serg't Co. G., " "

Henry R. Carleton, High Private, " "

Robert Clark, Private, Co. G., " " "

Edwin C. Wiles, Corp. " " " " "

Wm. Fields, Serg't " " " " "

Thomas Tipscomb, Corp. Co. G., 5th " "

John Boshan, Serg't.

Richard Boshan, Private.

Noah Farrington, Serg't.

F. S. Steele, Lieut.

By Mr. H. G. Williams: memorial of Peter White, and 56 other citizens of Marquette county, asking that the Upper Peninsula be ceded to the general government for the purpose of organizing a territory therefrom;

Also: memorial of S. P. Ely, and 57 other citizens of Marquette county, for the same purpose;

Also: memorial of M. A. Allen and 56 others, citizens of Marquette county, for the same purpose;

Also: memorial of Byron M. Colwell and 33 others, citizens of Marquette county, for the same purpose;

Also: memorial of H. H. Burt and 9 others, citizens of Marquette county, for the same purpose;

Also: memorial of J. J. Murphy and 18 others, citizens of Marquette county, for the same purpose.

Referred to the committee on federal relations.

By Mr. Mitchell: petition of Perry Hannah and 21 others, citizens of Missaukee and Grand Traverse counties, asking that the unorganized county of Missaukee be detached from the county of Manistee, and attached to the county of Grand Traverse.

Referred to the committee on towns and counties.

By Mr. Smith: remonstrance of C. G. Houseman and 54 others, against any appropriation for so much of the Detroit and Grand River turnpike as is described as follows, viz: Commencing at the north line of section 29, and running southeast to the south line of section 27, in the town of Orange, Ionia county, and asking that the aforesaid portion of said road be discontinued;

Also: remonstrance of N. M. Moore and 28 others, against the same.

Referred to the committee on banks and incorporations.

By Mr. Rowson: petition of L. P. Reynolds, Cyrus Hewitt and 12 others, citizens of Hillsdale and Ingham counties, praying for the passage of the bill providing for normal departments in our colleges, for the instruction of teachers.

Referred to the committee on education.

#### REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 39, entitled

A bill to amend act No. 129, of the session laws of 1867, approved March 27, 1867, entitled "An act rendering persons disqualified for sitting as jurors in certain cases," by adding two new sections thereto, to stand as sections 3 and 4,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,



and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend an act entitled "An act to amend sections 11 and 127, of chapter 117, of the compiled laws, relative to security for costs in justices' courts;"

Also,

A bill to amend sections 12, 13, 14 and 15, of chapter 154, of the revised statutes of 1846, being sections 5756, 5757, 5758 and 5759, of chapter 181, of the compiled laws, entitled "of offenses against property,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bills were ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to amend section 1468 of the compiled laws, relative to the election of superintendents of the poor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that the bill be referred to the committee on elections, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. G. G. Briggs,

The recommendation of the committee was concurred in, and the bill was referred to the committee on elections.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to change the name of the plat and village of Crowville, in the county of Muskegon, to Fruitport,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to change the name of James R. Fancher to James R. Witmar,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to change the name of Emmett Robert Skinner to Robert Emmett Skinner,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do

pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to change the name of Laura Montague to Laura Scott, and to constitute her heir-at-law of Jay Ward Scott and Jerusha Scott,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to change the name of Eva E. Strong to Rebecca Barnes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Sanford,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on insurance:

The committee on insurance, to whom was referred

A bill to amend section 12, of act No. 208, of the session laws of 1867, entitled an act to amend an act entitled "An act for the incorporation of insurance companies, and defining their powers and duties," approved Feb. 15, 1859, as amended by the several acts amendatory thereof,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

N. S. BOYNTON, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on insurance:

The committee on insurance, to whom was referred

A bill to suppress incendiary fire, and to secure due care by insured persons against fire,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

N. S. BOYNTON, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on elections:

The committee on elections, to whom was referred

A bill to provide for the election by the people, of county superintendents of the poor, and to repeal act No. 30, of the session laws of 1863, and act No. 207, of the session laws of 1865, and all other acts and parts of acts inconsistent with the provisions of this act,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the

House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

DAN'L L. CROSSMAN, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on elections:

The committee on elections, to whom was referred

A bill to amend section 1468, of the compiled laws, relative to the election of superintendents of the poor,

The design of the same being more fully accomplished by another bill now pending in the House,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

DAN'L L. CROSSMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cogshall,

The bill was laid on the table.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to restore section 36, of township 1 north, of range 12 east, to the township of Erin, in the county of Macomb,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred Senate bill No. 46, entitled

A bill to set off that portion of the township of Richland, in the county of Kalamazoo, situate east of Gull Lake, and attach the same to the township of Ross,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to reorganize the township of Caledonia in the county of Shiawassee,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

COMMUNICATIONS FROM STATE OFFICERS.

The Speaker announced the following:

STATE TREASURER'S OFFICE, }  
Lansing, March 1, 1869. }

HON. J. J. WOODMAN, *Speaker of the House of Representatives:*

SIR—In compliance with a resolution adopted on the 24th ult., I have the honor to report that no money has ever been

paid to any of the counties of this State, by virtue of section 5, act No. 31, session laws of 1858.

Secondly: that the amount of money received under act No. 31, session laws of 1858, which has been applied in the payment of the outstanding indebtedness of the State is \$56,292 19, the amount credited to the five per cent. primary school fund since January 1st, 1864.

Very Respectfully,

H. D. BARTHOLOMEW,

*Dep. State Treasurer.*

The communication was laid on the table.

### THIRD READING OF BILLS.

House bill No. 93, entitled

A bill to amend section 15 of an act entitled "an act to provide for the incorporation of villages," approved February 17, 1857, being section 2112 of the compiled laws,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

### YEAS.

Mr. Ashley,	Mr. Hartson,	Mr. Sanford,
Avery,	Horton,	Seward,
Barnaby,	Hubbard,	Shier,
Baxter,	Hunt,	Sickles,
Beall,	Hurlbut,	Slayton,
Blake,	Huston,	Smith,
Bostwick,	Hutchinson,	Snell,
Boynston,	Ingersoll,	Stannard,
G. G. Briggs,	F. G. Kendrick,	Stewart,
R. V. Briggs,	Kingale,	Stockbridge,
Cameron,	Klein,	Swift,
B. Clark,	Lee,	Tarnes,
Cogahall,	Lovell,	Thompson,
Crane,	Mandigo,	Vowles,
Crossman,	McCowen,	Wagner,
Curry,	McKernan,	Walker,
Davis,	Mead,	Ward,
Doty,	Miller,	Weier,
Dusseau,	Millington,	Wendell,
Eaton,	Mitchell,	Westover,
Eck,	Norton,	White,

Fenner,	Osborn,	Wilcox,
Fuller,	Plimpton,	H. G. Williams,
Gay,	Purcell,	J. A. Williams,
Gifford,	Putnam,	W. D. Williams,
Goodrich,	Riford,	Woodard,
Grant,	Romeyn,	Yawkey,
Harris,	Rowlson,	Speaker, 84
	NAYS.	0

Title agreed to.

House manuscript bill, entitled

A bill to provide for an insurance on the State Library,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

# YEAS.

Mr. Ashley,	Mr. Gifford,	Mr. Sanford,
Avery,	Hartson,	Sickels,
Barnaby,	Horton,	Slayton,
Baxter,	Hubbard,	Smith,
Beall,	Hunt,	Snell,
Blake,	Kingsley,	Stannard,
Bostwick,	Mandigo,	Stockbridge,
B. Clark,	McCowen,	Swift,
Crossman,	McKernan,	Ternes,
Curry,	Millington,	Thompson,
Davis,	Mitchell,	Vowles,
Doty,	Norton,	Wagner,
Dusseau,	Osborn,	Weier,
Eaton,	Plimpton,	Westover,
Eck,	Putnam,	H. G. Williams,
Fenner,	Riford,	W. D. Williams,
Fuller,	Rowlson,	Yawkey,
Gay,		52

# NAYS.

Mr. Boynton,	Mr. Hurlbut,	Mr. Seward,
G. G. Briggs,	Hutchinson,	Stewart,
R. V. Briggs,	Ingersoll,	Walker,
Cameron,	F. G. Kendrick,	Ward,
O. Clark,	Klein,	Wendell,
Cogshall,	Lee,	White,
Crane,	Lovell,	Wilcox,
Elliott,	Mead,	J. A. Williams,
Goodrich,	Miller,	Woodard,
Grant,	Purcell,	Speaker,
Harris,	Romeyn,	32



Title agreed to.

Mr. Sanford moved that the bill be ordered to take immediate effect;

Which motion did not prevail.

House bill No. 94, entitled

A bill to legalize the action of certain towns in the counties of Livingston, Washtenaw and Wayne, in voting aid to the Detroit and Howell railroad,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Avery,	Mr. Gifford,	Mr. Rowson,
Barnaby,	Goodrich,	Sanford,
Baxter,	Grant,	Seward,
Beall,	Harris,	Sickels,
Blake,	Hartson,	Slayton,
Boynton,	Hubbard,	Smith,
R. V. Briggs,	Hunt,	Snell,
B. Clark,	Hurlbut,	Stewart,
O. Clark,	Huston,	Stockbridge,
Cogshall,	Ingersoll,	Swift,
Crossman,	F. G. Kendrick,	Ternes,
Curry,	Lee,	Thompson,
Doty,	McCowen,	Wagner,
Dusseau,	McKernan,	Westover,
Eaton,	Mead,	H. G. Williams,
Eck,	Mitchell,	Woodard,
Fenner,	Purcell,	Yawkey,
Fuller,	Riford,	Speaker,
Gay,	Romeyn,	

56

#### NAYS.

Mr. Ashley,	Mr. Klein,	Mr. Shier,
Bostwick,	Lovell,	Stannard,
G. G. Briggs,	Mandigo,	Vowles,
Cameron,	Mason,	Walker,
Crane,	Miller,	Ward,
Davis,	Millington,	Weier,
Elliott,	Norton,	White,
Horton,	Osborn,	Wilcox,
Hutchinson,	Plimpton,	J. A. Williams,
Kingaleys,	Putnam,	W. D. Williams,

30

Pending the announcement of the vote,

Mr. Grant moved that Mr. Cameron be excused from voting;  
Which motion did not prevail.

Mr. Cameron then voted as recorded above.

Mr. Norton moved that Mr. Miller be excused from voting;  
Which motion did not prevail.

Mr. Miller then voted as recorded above.

Title agreed to.

Senate bill No. 28, entitled

A bill to amend act No. 202, of the session laws of 1863, approved March 20, 1868, entitled "An act to amend section 23, of the revised statutes of 1846," entitled "of offenses against public justice," the same being section 5842, of the compiled laws,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Grant,	Mr. Riford,
Avery,	Harria,	Romeyn,
Barnaby,	Hartson,	Rowlson,
Baxter,	Horton,	Sanford,
Blake,	Hubbard,	Seward,
Bostwick,	Hunt,	Shier,
Boynton,	Hurlbut,	Sickels,
G. G. Briggs,	Huston,	Slayton,
R. V. Briggs,	Hutchinson,	Smith,
Cameron,	Ingersoll,	Snell,
B. Clark,	F. G. Kendrick,	Stannard,
O. Clark,	Kingsley,	Stewart,
Cogshall,	Klein,	Stockbridge,
Crane,	Lee,	Swift,
Crossman,	Lovell,	Ternea,
Curry,	Mandigo,	Thompson,
Davis,	McCowan,	Vowles,
Doty,	McKernan,	Wagner,
Dusseau,	Mead,	Walker,
Eaton,	Miller,	Weier,
Eck,	Millington,	Wendell,
Elliott,	Mitchell,	White,
Fenner,	Norton,	Wilcox,
Fuller,	Osborn,	H. G. Williams,
Gay,	Plimpton,	J. A. Williams,

Gifford,  
Goodrich,

Purcell,  
Putnam,

W. D. Williams,  
Speaker, 81

# NAYS.

Mr. Westover, Mr. Woodard, Mr. Yawkey, 3

Title agreed to.

Mr. Slayton moved that the vote by which the bill was passed, be reconsidered;

Which motion prevailed.

The question being upon the passage of the bill,

Mr. Slayton moved to amend, by inserting after the word "trustees," in line 5 of recited section No. 28, the words "or common council, or village council;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

# YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
Boynton,  
G. G. Briggs,  
R. V. Briggs,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Crossman,  
Davis,  
Doty,  
Dusseau,  
Eck,  
Elliott,  
Fenner,  
Fuller,  
Gay,  
Goodrich,  
Grant,  
Harris,

Mr. Hartson,  
Horton,  
Hubbard,  
Hunt,  
Hurlbut,  
Huston,  
Hutchinson,  
Ingersoll,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lovell,  
Mandigo,  
McCowan,  
McKernan,  
Mead,  
Miller,  
Millington,  
Mitchell,  
Norton,  
Osborn,  
Plimpton,  
Purcell,  
Putnam,  
Riford,  
Romeyn,

Mr. Rowson,  
Sanford,  
Seward,  
Shier,  
Sickels,  
Slayton,  
Smith,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Vowles,  
Wagner,  
Walker,  
Ward,  
Weier,  
Wendell,  
White,  
Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Speaker,

## NAYS.

Mr. Curry,  
Eaton,  
Lee,

Mr. Mason,  
Westover,

Mr. Woodard,  
Yawkey,

7

Title agreed to.

House manuscript bill, entitled

A bill to extend the time for the collection of certain drain taxes in the township of Zeeland, in the county of Ottawa,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Baxter moved to amend by striking out the word "March," in line 3, of section 2, and inserting "April" in lieu thereof;

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
Boynton,  
G. G. Briggs,  
R. V. Briggs,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Crossman,  
Curry,  
Davis,  
Doty,  
Dusseau,  
Eaton,  
Eck,  
Elliott,  
Fenner,  
Fuller,

Mr. Harris,  
Horton,  
Hubbard,  
Hunt,  
Hurlbut,  
Huston,  
Hutchinson,  
Ingersoll,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lee,  
Lovell,  
Mandigo,  
McCowan,  
McKernan,  
Mead,  
Miller,  
Millington,  
Norton,  
Osborn,  
Plimpton,  
Purcell,  
Putnam,  
Riford,

Mr. Seward,  
Shier,  
Sickels,  
Slayton,  
Smith,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Vowles,  
Wagner,  
Walker,  
Ward,  
Weier,  
Wendell,  
Westover,  
White,  
Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Woodard,

Gay,	Romeyn,	Yawkey,	
Goodrich,	Rowlson,	Speaker,	83
Grant,	Sanford,		
	NAYS.		0

Title agreed to.

On motion of Mr. Walker,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to legalize the tax roll of the township of Sibley, in the county of Keweenaw, for the year 1868, and to extend the collection of the taxes of said township,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Harris,	Mr. Sanford,	
Avery,	Horton,	Seward,	
Barnaby,	Hubbard,	Shier,	
Baxter,	Hunt,	Sickels,	
Beall,	Hurlbut,	Slayton,	
Blake,	Huston,	Smith,	
Boetwick,	Hutchinson,	Snell,	
Boynton,	Ingersoll,	Stannard,	
G. G. Briggs,	F. G. Kendrick,	Stewart,	
R. V. Briggs,	Klein,	Stockbridge,	
Cameron,	Lee,	Swift,	
B. Clark,	Lovell,	Ternes,	
O. Clark,	Mandigo,	Thompson,	
Cogshall,	Mason,	Vowles,	
Crane,	McCowen,	Wagner,	
Crossman,	McKernan,	Walker,	
Curry,	Mead,	Ward,	
Davis,	Miller,	Weier,	
Doty,	Millington,	Wendell,	
Dusseau,	Mitchell,	Westover,	
Eaton,	Norton,	White,	
Eck,	Osborn,	Wilcox,	
Elliott,	Plimpton,	H. G. Williams,	
Fenner,	Parcell,	J. A. Williams,	
Fulfer,	Putnam,	W. D. Williams,	
Gay,	Riford,	Woodard,	
Goodrich,	Romeyn,	Yawkey,	
Grant,	Rowlson,	Speaker,	84

## NAYS.

0

Title agreed to.

On motion of Mr. McKernan,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 97, entitled

A bill to delocalize State swamp land appropriations, heretofore made for drainage and reclamation, by means of State roads and ditches,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
Boynton,  
R. V. Briggs,  
Cameron,  
B. Clark,  
O. Clark,  
Crane,  
Curry,  
Davis,  
Doty,  
Eaton,  
Eek,  
Fenner,  
Fuller,  
Gay,  
Gifford,

Mr. Goodrich,  
Grant,  
Hartson,  
Horton,  
Hubbard,  
Hunt,  
Hurlbut,  
Huston,  
Ingersoll,  
F. G. Kendrick,  
Kingsley,  
Lee,  
Mason,  
McCowen,  
McKernan,  
Mead,  
Miller,  
Millington,  
Mitchell,  
Norton,  
Purcell,

Mr. Putnam,  
Sanford,  
Sickels,  
Slayton,  
Snell,  
Stannard,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Vowles,  
Wagner,  
Walker,  
Ward,  
Weier,  
Westover,  
H. G. Williams,  
W. D. Williams,  
Yawkey,  
Speaker,

62

## NAYS.

Mr. Avery,  
Cogshall,  
Crossman,  
Harris,  
Hutchinson,  
Klein,

Mr. Lovell,  
Osborn,  
Plimpton,  
Riford,  
Romeyn,  
Rowlson,

Mr. Seward,  
Stewart,  
Wendell,  
White,  
J. A. Williams,

17

Title agreed to.

House bill No. 145, entitled

A bill to enable any township or city to pledge their credit to aid in the construction of any railroad heretofore chartered or organized, or that may be hereafter chartered or organized, under and by virtue of the laws of the State of Michigan,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Smith moved to amend, by inserting after the word "indebtedness," in line seven, section one, the words "exclusive of interest thereon;"

Which was agreed to.

Mr. Smith moved to further amend, by striking out in line seven, section seven, the word "the," before the word "township," and insert the word "such" in lieu thereof;

Which was agreed to.

Mr. W. D. Williams moved further to amend, by adding to section one the following:

*"And provided further, That no township or city in the Upper Peninsula of Michigan shall pledge its aid in the construction of any railroad, by loan, donation or otherwise, unless a majority of two-thirds of the electors of such township or city, voting at a meeting or meetings called for that purpose, so determine."*

Mr. Kline moved to amend the amendment by inserting after the word "Michigan," the words "nor the city of Detroit."

Mr. Plimpton demanded the previous question.

The demand was seconded, and the main question ordered.

The amendment to the amendment did not prevail.

The amendment did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Avery,  
Barnaby,  
Beall,  
Blake,  
Boynton,

Mr. Hartson,  
Hubbard,  
Hunt,  
Hurlbut,  
Huston,

Mr. Sanford,  
Seward,  
Sickels,  
Smith,  
Snell,

G. G. Briggs,	Ingersoll,	Stewart,
Cameron,	F. G. Kendrick,	Stockbridge,
Crossman,	Kingsley,	Swift,
Curry,	Lee,	Ternes,
Doty,	Lovell,	Thompson,
Eaton,	McCowen,	Wagner,
Eck,	McKernan,	Walker,
Fenner,	Mead,	Ward,
Fuller,	Miller,	Wendell,
Gay,	Plimpton,	Westover,
Gifford,	Purcell,	Wilcox,
Goodrich,	Riford,	Woodard,
Grant,	Romeyn,	Yawkey,
Harris,	Rowlson,	Speaker, 57

## NAYS.

Mr. Ashley,	Mr. Hutchinson,	Mr. Shier,
Baxter,	Klein,	Slayton,
Bostwick,	Mandigo,	Stannard,
R. V. Briggs,	Mason,	Vowles,
B. Clark,	Millington,	Weier,
O. Clark,	Mitchell,	White,
Crane,	Norton,	H. G. Williams,
Davis,	Osborn,	J. A. Williams,
Elliott,	Putnam,	W. D. Williams,
Horton,		28

Pending the announcement of the vote,

Mr. Baxter moved that Mr. Cogahall be excused from voting;  
Which motion prevailed.

Mr. Baxter moved that Mr. Ingersoll be excused from voting;  
Which motion did not prevail.

Mr. Ingersoll then voted as recorded above.

The title was agreed to.

Mr. Smith moved that the vote by which the bill was passed  
be reconsidered.

On motion of Mr. G. G. Briggs,

The motion to reconsider was laid on the table.

House bill No. 95, entitled

A bill to provide for the laying out and establishing the Juniata branch of the Port Sanilac and Tuscola State road,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:



## YEAS.

Mr. Ashley,	Mr. Harris,	Mr. Rowleson,
Avery,	Hartson,	Sanford,
Barnaby,	Horton,	Seward,
Blake,	Hubbard,	Shier,
Bostwick,	Hunt,	Slayton,
G. G. Briggs,	Hurlbut,	Smith,
R. V. Briggs,	Huston,	Snell,
Cameron.	Hutchinson,	Stannard,
B. Clark,	Ingersoll,	Stewart,
O. Clark,	F. G. Kendrick,	Stockbridge,
Cogshall,	Kingsley,	Swift,
Crane,	Klein,	Ternes,
Crossman,	Lee,	Vowles,
Curry,	Lovell,	Wagner,
Davis,	Mandigo,	Walker,
Doty,	McCowen,	Ward,
Eaton,	McKernan,	Weier,
Eck,	Mead,	Wendell,
Elliott,	Miller,	Westover,
Fenner,	Millington,	Wilcox,
Fuller,	Mitchell,	H. G. Williams,
Gay,	Norton,	W. D. Williams,
Gifford,	Osborn,	Woodard,
Goodrich,	Putnam,	Yawkey,
Grant,	Romeyn,	Speaker,

75

## NAYS.

0

Title agreed to.

Senate bill No. 40, entitled

A bill to amend section three thousand eight hundred and fifteen, of the compiled laws, being section 163, of chapter 93, of the revised statutes of 1846, relating to justices' courts,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Grant,	Mr. Rowleson,
Avery,	Harris,	Sanford,
Barnaby,	Hartson,	Seward,
Baxter,	Horton,	Shier,
Blake,	Hunt,	Slayton,
Bostwick,	Huston,	Smith,
G. G. Briggs,	Hutchinson,	Snell,
R. V. Briggs,	Ingersoll,	Stannard,

Cameron,	F. G. Kendrick,	Stewart,
B. Clark,	Kingsley,	Stockbridge,
O. Clark,	Klein,	Swift,
Crane,	Lee,	Vowles,
Crossman,	Mandigo,	Wagner,
Curry,	McCowen,	Walker,
Davis,	McKernan,	Weier,
Doty,	Mead,	Wendell,
Eaton,	Miller,	Westover,
Eck,	Millington,	White,
Elliott,	Mitchell,	Wilcox,
Fenner,	Norton,	H. G. Williams,
Fuller,	Osborn,	J. A. Williams,
Gay,	Putnam,	W. D. Williams,
Goodrich,	Riford,	Speaker, 69

## NAYS.

Mr. Cogshall,	Mr. Lovell,	Mr. Woodard,	
Hurlbut,	Romeyn,	Yawkey,	6

Title agreed to.

Senate bill No. 38, entitled

A bill to amend act No. 162, of the session laws of 1867, approved March 27, 1867, being an act relative to the imprisonment of parties in civil suits in certain cases, by adding a proviso thereto,

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Blake,	Mr. Mitchell,	Mr. Seward,
Cameron,	Norton,	Sickels,
B. Clark,	Osborn,	Stannard,
Eaton,	Putnam,	Stockbridge,
Elliott,	Riford,	Swift,
Hurlbut,	Rowlson,	Vowles,
Mead,	Sanford,	W. D. Williams,
Millington,		22

## NAYS.

Mr. Ashley,	Mr. Goodrich,	Mr. Romeyn,
Avery,	Grant,	Shier,
Barnaby,	Harris,	Slayton,
Baxter,	Hartson,	Smith,
Bostwick,	Horton,	Snell,
Boynton,	Hunt,	Stewart,
G. G. Briggs,	Huston,	Ternes,

R. V. Briggs,	Hutchinson,	Thompeon,
O. Clark,	Ingersoll,	Wagner
Cogahall,	F. G. Kendrick,	Walker,
Crane,	Kingsley,	Weier,
Crossman,	Klein,	Wendell
Curry,	Lee,	Westover,
Davis,	Lovell,	White,
Doty,	Mandigo,	Wilcox,
Eck,	McCowen,	J. A. Williams,
Fenner,	McKernan,	Woodard,
Fuller,	Miller,	Yawkey,
Gay,	Purcell,	Speaker, 57

Mr. Barnaby moved that the House take a recess until 2 o'clock this afternoon;

Which motion did not prevail.

House bill No. 78, entitled

A bill to amend "An act to provide for the appointment of trustees in certain cases," approved February 17, 1867,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Harris,	Mr. Putnam,
Avery,	Hartson,	Riford,
Barnaby,	Horton,	Rowlson,
Baxter,	Hunt,	Seward,
Blake,	Hurlbut,	Shier,
Bostwick,	Huston,	Sickels,
G. G. Briggs,	Hutchinson,	Slayton,
Cameron,	Ingersoll,	Snell,
B. Clark,	F. G. Kendrick,	Stannard,
O. Clark,	Kingsley,	Stockbridge,
Cogahall,	Klein,	Swift,
Crane,	Lee,	Ternes,
Crossman,	Lovell,	Thompson,
Curry,	Mandigo,	Vowles,
Davis,	McCowen,	Wagner,
Doty,	McKernan,	Walker,
Eaton,	Mead,	Weier,
Eck,	Miller,	Westover,
Elliott,	Millington,	White,
Fenner,	Mitchell,	Wilcox,
Fuller,	Norton,	J. A. Williams,
Gay,	Osborn,	Yawkey,

Goodrich,  
Grant,

Purcell,

Speaker,

70

## NAYS.

Mr. R. V. Briggs,  
Romeyn,Mr. Sanford  
Smith,Mr. Stewart,  
Woodard,

6

Title agreed to.

Mr. Wilcox moved that the House take a recess until two o'clock this afternoon;

Which motion did not prevail.

House manuscript bill, entitled

A bill to change the name of Eva E. Strong to Rebecca Barnes, and to constitute her heir-at-law of Henry S. Barnes and Sarah Barnes,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,

Mr. Grant,

Mr. Putnam,

Avery,

Harris,

Riford,

Baxter,

Hartson,

Romeyn,

Beall,

Horton,

Sanford,

Bostwick,

Hunt,

Seward,

Boynton,

Hurlbut,

Shier,

G. G. Briggs,

Hutchinson,

Sickels,

R. V. Briggs,

Ingersoll,

Slayton,

Cameron,

F. G. Kendrick,

Smith,

B. Clark,

Kingsley,

Snell,

O. Clark,

Klein,

Stannard,

Cogshall,

Lee,

Stewart,

Crane,

Lovell,

Stockbridge,

Crossman,

Mandigo,

Swift,

Curry,

McCowen,

Ternes,

Davis,

McKernan,

Vowles,

Eaton,

Mead,

Weier,

Eck,

Miller,

Wilcox,

Elliott,

Millington,

H. G. Williams,

Fenner,

Mitchell,

W. D. Williams,

Fuller,

Norton,

Woodard,

Gay,

Osborn,

Yawkey,

Goodrich,

Purcell,

Speaker, 69

## NAYS.

Mr. Huston,  
Thompson,Mr. Walker,  
Westover,Mr. White,  
J. A. Williams,

6

Title agreed to.

House joint resolution No. 14, entitled

Joint resolution for the relief of Charles Chandler, administrator of the estate of James McDonald, deceased,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Harris,	Mr. Sanford,
Avery,	Hartson,	Seward,
Barnaby,	Horton,	Shier,
Baxter,	Hunt,	Sickels,
Beall,	Hurlbut,	Slayton,
Blake,	Huston,	Smith,
Boswick,	Hutchinson,	Snell,
Boynton,	Ingersoll,	Stannard,
G. G. Briggs,	F. G. Kendrick,	Stewart,
R. V. Briggs,	Kingsley,	Stockbridge,
Cameron,	Klein,	Swift,
B. Clark,	Lee,	Ternes,
O. Clark,	Lovell,	Thompson,
Cogshall,	Mandigo,	Vowles,
Crane,	McCowen,	Walker,
Crossman,	Mead,	Weir,
Curry,	Miller,	Westover,
Davis,	Millington,	White,
Doty,	Mitchell,	Wilcox,
Eck,	Osborn,	H. G. Williams,
Elliott,	Purcell,	J. A. Williams,
Fenner,	Putnam,	W. D. Williams,
Fuller,	Riford,	Woodard,
Gay,	Romeyn,	Yawkey,
Goodrich,	Rowlson,	Speaker.
Grant,		

76

0

NAYS.

Title and preamble agreed to.

House bill No. 86, entitled

A bill to organize the county of Alcona, and for other purposes,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Hartson,	Mr. Sanford,
Avery,	Horton,	Seward,
Baxter,	Hubbard,	Shier,
Beall,	Hunt,	Sickels,
Blake,	Hurlbut,	Slayton,
Bostwick,	Huston,	Smith,
Boynton,	Hutchinson,	Snell,
G. G. Briggs,	Ingersoll,	Stannard,
R. V. Briggs,	F. G. Kendrick,	Stewart,
Cameron,	Kingsley,	Stockbridge,
B. Clark,	Klein,	Swift,
O. Clark,	Lee,	Ternes,
Coghall,	Lovall,	Thompson,
Crane,	Mandigo,	Vowles,
Crossman,	McCowen,	Walker,
Curry,	Mead,	Weier,
Davis,	Miller,	Westover,
Doty,	Millington,	White,
Eck,	Mitchell,	Wilcox,
Elliott,	Norton,	H. G. Williams,
Fenner,	Osborn,	J. A. Williams,
Fuller,	Purcell,	W. D. Williams,
Gay,	Putnam,	Woodard,
Goodrich,	Riford,	Yawkey,
Grant,	Romeyn,	Speaker,
Harris,	Bowlsan,	

77

## NAYS.

0

Mr. Sanford moved to amend the title by striking out the words "and for other purposes;"

Which motion prevailed.

The title, as amended, was agreed to.

On motion of Mr. Westover,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 87, entitled

A bill to amend section 5, of chapter 185, being section 5860 of the compiled laws,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Riford moved that the bill be recommitted to the committee on the judiciary;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Harris,	Mr. Rowleson,
Avery,	Hunt,	Seward,
Baxter,	Hurlbut,	Shier,
Blake,	Huston,	Sickels,
Bostwick,	Hutchinson,	Slayton,
Boynton,	Ingersoll,	Smith,
G. G. Briggs,	Kingsley,	Snell,
Cameron,	Klein,	Stannard,
B. Clark,	Lovell,	Stockbridge,
O. Clark,	Mandigo,	Swift,
Cogshall,	McCowen,	Vowles,
Crane,	Mead,	Walker,
Crossman,	Miller,	Weier,
Curry,	Mitchell,	Wilcox,
Davis,	Norton,	H. G. Williams,
Doty,	Osborn,	J. A. Williams,
Fuller,	Putnam,	W. D. Williams,
Gay,	Riford,	Speaker,
Grant,		55

## NAYS.

Mr. R. V. Briggs,	Mr. F. G. Kendrick,	Mr. Sanford,
Dussean,	Lee,	Stewart,
Eck,	Mason,	Ternes,
Elliott,	Millington,	Thompson,
Goodrich,	Purcell,	White,
Horton,	Romeyn,	Woodard,
Hubbard,		19

Mr. Mead moved to add to the title, after the word "laws,"

"Of offenses against chastity, morality and decency;"

Which motion prevailed.

The title, as amended, was agreed to.

On motion of Mr. Cameron,

The House took a recess until half-past 2 o'clock this afternoon.

## AFTERNOON SESSION.

2½ o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Smith asked and obtained leave of absence for Mr. Holt, until Friday morning.

The House resumed the order of

## THIRD READING OF BILLS.

Senate bill No. 24, being

A bill to amend act No. 58, session laws of 1867, approved March 15, 1867, entitled an act to repeal all existing laws, rules and provisions of law, restricting or controlling the right of a party to agree with an attorney, solicitor or counsel, for his compensation, and to more accurately fix and determine the costs to be allowed to the prevailing parties in suits at law in the circuit court,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Elliott,	Mr. Riford,
Avery,	Fenner,	Rowlson,
Barnaby,	Fuller,	Sanford,
Baxter,	Gifford,	Seward,
Beall,	Grant,	Shier,
Blake,	Hartson,	Slayton,
Boynton,	Huston,	Snell,
G. G. Briggs,	Hutchinson,	Stannard,
R. V. Briggs,	F. G. Kendrick,	Stewart,
Cameron,	Kingalev,	Stockbridge,
B. Clark,	Klein,	Swift,
Cogahall,	Mandigo,	Ternes,
Crane,	Mead,	Vowles,
Crossman,	Miller,	Walker,
Curry,	Millington,	Wendell,
Davis,	Mitchell,	Wilcox,
Doty,	Newman,	H. G. Williams,
Dusseau,	Osborn,	W. D. Williams,
Eaton,	Purcell,	Yawkey,
Eck,	Putnam,	Speaker, 60



## NAYS.

Mr. Bostwick,	Mr. Hurlbut,	Mr. Wagner,
O. Clark,	Lee,	Weier,
Goodrich,	Lovell,	Westover,
Horton,	Sickels,	J. A. Williams,
Hubbard,	Smith,	Woodard,
Hunt,	Thompson,	17

Title agreed to.

## MOTIONS AND RESOLUTIONS.

Mr. B. Clark moved to discharge the committee of the whole from the further consideration of House bill No. 164, entitled

A bill to amend an act entitled "An act to incorporate the village of Albion," approved February 9, 1855, and the acts amendatory thereto;

Which motion prevailed.

On motion of Mr. B. Clark,

The bill was placed upon its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Slayton moved to amend by striking out the words "and restrain," where they occur in line 17, of section 7, after the word "tables," and insert the same before the word "billiard;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Avery,	Mr. Goodrich,	Mr. Rowison,
Barnaby,	Grant,	Sanford,
Baxter,	Hartson,	Seward,
Beall,	Horton,	Shier,
Blake,	Hubbard,	Sickels,
Bostwick,	Hunt,	Slayton,
Boynton,	Hurlbut,	Snell,
G. G. Briggs,	Huston,	Stannard,
R. V. Briggs,	Hutchinson,	Stewart,
Cameron,	F. G. Kendrick,	Stockbridge,
B. Clark,	Kingsley,	Swift,
O. Clark,	Klein,	Ternes,
Cogshall,	Lee,	Thompson,

Crane,	Lovell,	Vowles,
Crossman,	Mandigo,	Wagner,
Curry,	McKernan,	Weier,
Davis,	Mead,	Wendell,
Doty,	Millington,	Westover,
Dusseau,	Mitchell,	White,
Eaton,	Newman,	Wilcox,
Eck,	Norton,	H. G. Williams,
Elliott,	Osborn,	J. A. Williams,
Fenner,	Purcell,	W. D. Williams,
Fuller,	Putnam,	Yawkey,
Gay,	Riford,	Speaker,
Gifford,		

76

## NAYS.

Mr. Ashley,	Mr. Mason,	Mr. Walker,
Harrie,	Miller,	Woodard,

6

Pending the announcement of the vote,

Mr. Klein moved that Mr. Ashley be excused from voting;

Which motion did not prevail.

Mr. Ashley then voted as recorded above.

The title was agreed to.

On motion of Mr. B. Clark,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Yawkey moved to discharge the committee of the whole from the further consideration of Senate bill No. 87, entitled

A bill to provide for the improvement of the navigation of the Saginaw river;

Which motion prevailed.

On motion of Mr. Yawkey,

The bill was placed on the order of third reading.

Mr. Westover moved to take from the table House manuscript bill, entitled

A bill to authorize the village of Portsmouth to vote aid for the building of a bridge across Saginaw river;

Which motion prevailed.

On motion of Mr. Westover,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. McKernan offered the following:

*Resolved*, That 1,000 copies of the joint committee's report on the Geological survey, be printed in pamphlet form for the use of the officers and members of the House;

Which was adopted.

Mr. Swift offered the following:

*Resolved*, That this hall be granted on the 3d day of March next, from 11 o'clock A. M. until 4 o'clock P. M., for the use of the democratic State convention;

Which was adopted.

Mr. Boynton moved to discharge the committee of whole from the further consideration of House bill No. 168, entitled

A bill to provide for the laying out and establishing a State road in the county of Alcona, and to appropriate certain non-resident highway taxes to aid in the construction of the same;

Which motion prevailed.

On motion of Mr. Boynton,

The bill was placed on the order of third reading.

Mr. Plimpton moved to take from the table, Senate bill No: 27, entitled

A bill to reorganize the second and create the fifteenth judicial district;

Which motion prevailed.

The bill having been read a third time, and the question being upon its passage,

It was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Grant,	Mr. Seward,
Barnaby,	Hartson,	Shier,
Baxter,	Horton,	Sickels,
Beall,	Hunt,	Slayton,
Blake,	Huston,	Snell,
Bestwick,	Kingaley,	Stannard,
Boynton,	Lee,	Stewart,
G. G. Briggs,	Mandigo,	Stockbridge,
Cameron,	Mason,	Swift,
B. Clark,	McKernan,	Ternes,
O. Clark,	Mead,	Vowles,

Cogshall,	Millington,	Weier,
Crane,	Mitchell,	Wendell,
Curry,	Newman,	Westover,
Davis,	Norton,	White,
Doty,	Osborn,	Wilcox,
Dusseau,	Plimpton,	H. G. Williams,
Eaton,	Purcell,	J. A. Williams,
Eck,	Putnam,	W. D. Williams,
Fenner,	Riford,	Woodard,
Fuller,	Rowson,	Yawkey,
Gay,	Sanford,	Speaker,
Gifford,		

67

## NAYS.

Mr. Avery,	Mr. Hubbard,	Mr. Miller,
R. V. Briggs,	Hurlbut,	Romeyn,
Elliott,	Hutchinson,	Smith,
Goodrich,	Kline,	Wagner,
Harris,	Lovell,	Walker,

15

Title agreed to.

On motion of Mr. Plimpton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Sanford moved to take from the table House manuscript bill, entitled

A bill to legalize the action of a special township meeting of the township of Onondaga, Ingham county, held February 6, 1869, in locating the site of a bridge across Grand river, in said township;

Which motion did not prevail.

The committee on engrossment and enrollment submitted the following report:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following:

Joint resolution asking Senators and Representatives in Congress from Michigan, to urge the speedy erection of a light house at the mouth of the Manistee river, in the county of Manistee;

Also,

A bill to change the name of the First Congregational Church and Society, of Raisin, ( being in the county of Lenawee and State of Michigan,) to the First Presbyterian Church and society, of Raisin;

Also,

A bill granting the right of way, through lands owned by the State, for a railroad in Menominee county;

Also,

A bill to provide for paying expenses authorized to be incurred by the Legislature;

Also,

A bill to amend section 2, of chapter 42, of the compiled laws, relative to disorderly persons;

Also,

A bill to authorize the Young Men's Society of Saginaw to change the name of said society;

Also,

A bill to authorize the village of South Saginaw to raise by tax, money to build a station house for the use of said village;

Also,

A bill to create a board of water commissioners in the village of Marquette, and to define its powers and duties;

Also,

A bill to legalize certain taxes of the townships of Zeeland, Blendon, Georgetown and Jamestown, in the county of Ottawa, for the year 1868.

E. M. MASON, *Chairman.*

Report accepted.

#### GENERAL ORDER.

On motion of Mr. Huston,

The House went into committee of the whole, on the general order,

Mr. Millington in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 25, entitled

A bill to establish an institution of learning, to be called the Michigan Female College;

And have directed their chairman to report the bill back to the House, with the recommendation that it be made the special order for Thursday afternoon, at 2 o'clock.

C. R. MILLINGTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baxter,

The recommendation of the committee was concurred in, and the bill was made the special order for Thursday afternoon, at 2 o'clock.

Mr. Mead moved that the House take a recess until half-past seven o'clock this evening.

On motion of Mr. Sanford,

The House adjourned until to-morrow morning at 9 o'clock.

---

*Lansing, Wednesday, March 3, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Davis.

Roll called: quorum present.

#### PRESENTATION OF PETITIONS.

By Mr. Walton: petition of F. Hart and 31 others, citizens of the city of Adrian, asking for the extension of the limits of said city;

Also: petition of C. M. Croswell, for the same purpose;

Also: petition of C. R. Miller, for the same purpose.

Referred to the committee on banks and incorporations.

By Mr. Westover: petition of W. R. McCormick and 17 others, praying that a certain portion of the township of Portsmouth, Bay county, be attached to the village of Portsmouth;

Also: petition of Albert Miller and 178 others, for the same purpose;

Also: petition of A. C. Maxwell and 800 others for the same purpose.

Referred to the committee on banks and incorporations.

By Mr. H. G. Williams: memorial of W. C. Corey and 58 others, citizens of Delta county, asking that the Upper Peninsula be ceded to the general government, for the purpose of creating a territory therefrom;

Also: memorial of E. P. Lott and 40 others, for the same purpose;

Also: memorial of E. D. Beardsley and 59 others, citizens of Delta county, for the same purpose.

Referred to the committee on federal relations.

By Mr. Yawkey: resolution of the board of supervisors of Saginaw county, in relation to the sale of certain dredges and other property, and praying the Legislature to legalize the same.

Referred to the committee on ways and means.

By Mr. Horton: petition of D. W. Campbell and 40 others, asking for authority to issue bonds to build a school-house in the town of Atlas, Genesee county.

Referred to the committee on education.

By Mr. Wendell: petition of Dennis T. Downing, Daniel Nesaw-waw-kwat, Frank Wasson, Louis Meshneenee, Simon Kize-gobi-nesse and 136 others, citizens of the township of Little Traverse, in Emmet county, praying for the reorganization of said county;

Also: petition of Joseph Succo, Peter Thormie, Charles Blackbird and 114 others, citizens of the township of Bear Creek, in Emmet county, for the same purpose.

Referred to the committee on towns and counties.

By Mr. Wendell: petition of J. B. Makackwat, L. Makadoo-kwat, N. Rodd and 113 others, citizens of Emmet county, praying for the organization of the township of Grant, in said county.

Referred to the committee on towns and counties.

By Mr. Blake: remonstrance of Luman I Jennison and 27 others, citizens of Georgetown, against legalizing the organization of union school district No. 1, of Wyoming and Georgetown, in the counties of Kent and Ottawa, in the State of Michigan.

Referred to the committee on education.

By Mr. H. G. Williams: petition of Daniel Corey and 135 others, citizens of Cedarville, in the county of Menominee, for the appointment of a swamp land State road commissioner, for the Upper Peninsula;

Also: petition of E. J. Brooks and 68 others, for the same purpose;

Also: petition of P. Divine and 25 others, for the same purpose;

Also: petition of John Murphy and 24 others, for the same purpose;

Also: petition C. B. Ingalls and 21 others, for the same purpose;

Also: petition of Perry Place and 15 others, for the same purpose.

Referred to the committee on State affairs.

Mr. Crossman, by unanimous consent, moved to discharge the committee of whole from the further consideration of House bill, No. 160, entitled

A bill to incorporate the village of Portsmouth;

Which motion prevailed.

On motion of Mr. Crossman,

The bill was recommitted to the committee on banks and incorporations.

#### REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 4581 of the compiled laws, being section 28, of chapter 134, relating to the action of ejectment;

Also,



A bill to amend chapter 99 of the compiled laws, being chapter 75, of the revised statutes of 1846, in relation to the estate of deceased persons,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bills were ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to define the rights of holders of real estate in certain cases;

Also,

A bill to extend the right of trial by jury, to test the validity of assessment rolls in certain cases;

Also,

A bill to define the title to lands conveyed by the Auditor General,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do not pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

Mr. Romeyn moved that the several named bills be ordered printed, referred to the committee of the whole, and placed on the general order;

On motion of Mr. Miller,

The bills were laid on the table.

By the committee on military affairs:

The committee on military affairs, to whom was referred

A bill to authorize the township of Watervleit to refund certain moneys advanced by George Parsons, in paying bounties, and to levy a tax therefor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GEO. G. BRIGGS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred

A bill to authorize the city of Grand Haven to aid the Detroit and Milwaukee Railroad Company to extend the line of their road across Grand river, from Ferrysburg into the city of Grand Haven, and to change the location of their depot at Grand Haven, from the west to the east side of Grand river,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

R. B. SMITH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Grant,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred.

A bill to amend section 17, of act 163, session laws of 1861.

being an act relative to laying out, altering and discontinuing highways,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baxter,

The bill was laid on the table.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to amend sections 2 and 3, of act No. 115, of the session laws of 1861, relative to obstructions and encroachments of highways,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to amend section three of an act entitled an act to amend sections one and three, of act number 46, of the laws of 1864, relative to a State road in Gratiot and Isabella counties,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. McKernan,

The bill was laid on the table.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to amend act No. 180, of the session laws of 1863, entitled "An act to provide for laying out, establishing and improving a road from Muskegon Lake, to the north line of Mason county, and to appropriate swamp lands therefor," approved March 20, 1863, also, act 392, of the session laws of 1867, approved March 22d, 1869, amendatory thereof,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, Jr., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Horton,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to amend section 2, of act number 213, of the session laws of 1865, entitled "An act to lay out and establish a State road in the Upper Peninsula, to be known as the Wenona and Franklin State road, and to provide for the construction of the same,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, Jr., *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to repeal act number 229, of the session laws of 1859, entitled "An act to provide for the settlement and drainage of the swamp lands by actual settlers," approved Feb. 15th, 1859, and the acts amendatory thereto,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, Jr., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. McKernan,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to amend section 2435 and section 2463, of the compiled laws, relative to the payment of moneys by purchasers of trust fund and swamp lands to county treasurers, and the forfeiture and redemption of said lands,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, Jr., *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to further extend the time for the collection of taxes in the city of Flint, in the county of Genesee,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Mason,

The bill was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of Nashville,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

D. L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Stockbridge,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to set off and incorporate a portion of the townships of Manistee and Stronach, in the county of Manistee, into a city by the name of the city of Manistee,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when

so amended, do pass, and ask to be discharged from the further consideration of the subject.

D. L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Huston,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Crossman,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on education:

The committee on education, to whom was re-referred House bill No. 103, being

A bill to legalize the action of the school inspectors of the townships of Albion and Sheridan, in the county of Calhoun, and State of Michigan, in the consolidation of certain school districts therein,

Respectfully report that they have again had the same under consideration, and have unanimously directed me to report the same back to the House, without amendment, and again recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. B. Clark,

The rules were suspended, and the bill was placed on its final passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Hurlbut,	Mr. Sanford;
Barnaby,	Huston,	Seward
Baxter,	Hutchinson,	Shaw,
Beall,	Ingersoll,	Sheldon,
Blake,	Jewell,	Shier,
Bostwick,	F. G. Kendrick,	Sickels,

G. G. Briggs,	Kingsley,	Slayton,
Cameron,	Klein,	Snell,
B. Clark,	Lee,	Stannard,
O. Clark,	Lovell,	Stewart,
Cogshall,	Mandigo,	Stockbridge,
Crane,	Mason,	Swift,
Curry,	McCowen,	Thompson,
Davis,	McKernan,	Vowles,
Doty,	Mead,	Wagner,
Dusseau,	Miller,	Walker,
Eaton,	Millington,	Walton,
Eck,	Mitchell,	Ward,
Elliott,	Murray,	Weier,
Fenner,	Newman,	Westover,
Fuller,	Osborn,	H. G. Williams,
Gay,	Plimpton,	J. A. Williams,
Goodrich,	Purcell,	W. D. Williams,
Grant,	Putnam,	Woodard,
Hartson,	Riford,	Yawkey,
Horton,	Rowlson,	Speaker,
Hunt,		

79

## NAYS.

Mr. R. V. Briggs, Mr. Miles,  
Harris,

Mr. Romeyn,

4

Title agreed to.

On motion of Mr. B. Clark,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to prevent the shooting of persons in sport,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.



By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to amend act No. 76, of the session laws of 1867, entitled "an act for the appointment of a commissioner, to be known as the Swamp Land State Road Commissioner," approved March 21, 1867, by adding 6 new sections thereto, to stand as sections 14, 15, 16, 17, 18 and 19,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Gay,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to amend section 33, of act No 181, of the session laws of 1863, approved March 20th, 1863, and section 39, of act No. 273, of the session laws of 1865, approved March 20, 1865, relative to levying and collecting taxes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without action, and recommend that the bill be referred to the committee on ways and means, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cogshall,

The recommendation of the committee was concurred in, and the bill referred to the committee on ways and means.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to provide for taxing the property of masonic and odd fellow's lodges, and other benevolent societies,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred Senate-bill No. 77, entitled

A bill to amend section 8 of an act to provide for the incorporation of Masonic lodges, as amended by an act approved March 27, 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to amend section 1687 of the compiled laws, requiring boards of supervisors to raise an annual tax for the benefit of county agricultural societies,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill making it the duty of county, city, village and township treasurers to report annually, to the Auditor General, the finances, debt and public property of their respective counties, cities, villages and townships,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Romeyn,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to allow the society known as the Pocahontas Tribe No. 1, Improved order of Red Men, of the city of Detroit, to alter and amend its articles of association,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to provide for the incorporation of societies of Pocahontas Tribes of Improved Order of Red Men;

Recommending that the substitute be concurred in, and that

the substitute do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Stewart,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 52, entitled

A bill to prevent injury to the navigation of Saginaw river,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend sections 1, 6, 11 and 20 of an act entitled "An act to incorporate the village of Mount Clemens," approved April 4, 1851;

Also: the petition of Giles Hubbard, T. W. Snook, S. S. Gale and 170 others, citizens of said village, asking for an amendment to said village charter,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when

so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Miller,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was recommitted House bill No. 75, entitled

A bill to repeal act No. 426, of the session laws of 1867, entitled "An act to incorporate the public schools of the village of Hudson," approved March 25, A. D. 1867;

Also: several petitions for, and remonstrances against the passage of said bill,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

The petitions and remonstrances were laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was recommitted House bill No. 46, entitled

A bill to incorporate the village of Ovid;

Also: several petitions, remonstrances and plats concerning said bill,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to

the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. H. G. Williams,

The House concurred in the amendment made to the bill by the committee.

On motion of Mr. Sickels,

The bill was placed on the order of third reading.

The petitions and remonstrances were laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred the petitions of Samuel Higby, G. T. Gridley, E. H. Webster, Allen Bennett, Wm. H. Palmer, Joshua Palmer and 558 others, asking for an extension of the limits of the city of Jackson to three miles square;

Also: the remonstrances of F. W. Kirtland, Dwight Merri-man and 237 others, against the passage of any such bill,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the information that the bill referred to in said petitions and remonstrances, has been considered by your committee, and was reported upon by them Feb. 24th, last. They therefore ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*.

Report accepted and committee discharged.

The petitions and remonstrances were laid on the table.

On motion of Mr. Romeyn,

The House took a recess until three o'clock this afternoon.

## AFTERNOON SESSION.

3 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Plimpton asked and obtained leave of absence for Mr. Boynton, until Friday morning.

Mr. Vowles asked and obtained leave of absence for Mr. L. Kendrick, until to-morrow morning.

The House resumed the order of

## REPORTS OF STANDING COMMITTEES.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to attach the unorganized counties of Otsego, Crawford, and a portion of Kalkaska, to the townships of South Arin, Torch Lake, Helena and Rapid River,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to detach certain territory from the township of Niles, in the county of Berrien, and attach the same to the township of Bertrand, in said county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to organize the township of Greenbush, in the county of Alcona,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to provide duplicate records of deeds, mortgages and other papers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. J. A. Williams,

The bill was laid on the table.

By the committee on federal relations:

The committee on federal relations, to whom was referred

Joint resolution in regard to the free navigation of Canadian waters and canals by the shipping of the United States,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, recommending that they do pass, and ask to be discharged from the further consideration of the subject.

G. W. SWIFT, *Chairman.*



Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred.

A bill to define the fees of justices of the peace in certain cases;

Also,

A bill to amend sections 1 and 3, of the "act to authorize certain persons to administer oaths, and take acknowledgments of deeds and other instruments in writing," approved March 27, 1867, being act No. 145, of the session laws of 1867.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do not pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Miller,

The bills were laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend an act entitled "an act to amend sections 11 and 127, of chapter 117 of the compiled laws, relative to security for costs in justices' courts," being act No. 186, of the session laws of 1863,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. G. G. Briggs,

The bill was laid on the table.

## MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE,  
Lansing, March 2, 1869. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State:

An act to create a board of water commissioners in the village of Marquette, and to define its powers and duties.

HENRY P. BALDWIN.

The message was laid on the table.

## MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, March 2, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House manuscript bill, entitled

- A bill to amend sections 2, 12 and 22, of act 519, of the session laws of 1867, entitled "an act to incorporate the village of Paw Paw;"

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,  
*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 2, 1869. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 96, entitled

A bill to amend an act entitled "An act to provide for the selection, care and disposition of the lands donated to the State of Michigan, by act of Congress, approved July 2d, 1862, for the endowment of colleges for the benefit of agriculture and the mechanic arts, approved March 18th, 1863;

2. Senate bill No. 98, entitled

A bill to amend act No. 153, of the session laws of 1867, being an act to provide for holding the circuit courts in case of death, resignation, removal, absence or inability of the circuit-judge;

3. Senate bill No. 84, entitled

A bill to regulate water companies;

4. Senate bill No. 86, entitled

A bill to amend section 15 of an act entitled "An act to incorporate the village of Farmington," approved March 25, 1867;

5. Senate bill No. 85, entitled

A bill to amend section fifteen, of act number two hundred and thirty-two, of the session laws of 1863, being "An act to provide for the incorporation of water-power companies," approved March 20, 1863;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on Agricultural College.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The third, fourth and fifth named bills were read a first and second time by their titles, and referred to the committee on banks and incorporations.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 3, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 164, entitled

A bill to amend an act entitled "An act to incorporate the village of Albion," approved February ninth, eighteen hundred and fifty-five, and the acts amendatory thereto;

In the passage of which the Senate has concurred, by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 2, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 105, entitled

A bill to incorporate the village of Petersburg;

2. Senate bill No. 116, entitled

A bill to authorize the trustees of the village of St. Johns to levy a tax of five thousand dollars, for a court house for Clinton county;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The second named bill was read a first and second time by its title, and referred to the committee on local taxation.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 2, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following joint resolution:

Senate joint resolution No. 7, entitled

Joint resolution assenting to the transfer of title from the State of Pennsylvania to the United States, of the Soldiers' National Cemetery, at Gettysburg, Pennsylvania;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The joint resolution was read a first and second time by its title, and referred to the committee on federal relations.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 2, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 90, entitled

A bill to amend "An act to provide for the registration of births, marriages and deaths, being act number 194, session laws of 1867," approved March 27, 1867;

2. Senate bill No. 95, entitled

A bill to provide for the establishment of polytechnic associations;

3. Senate bill No. 97, entitled

A bill to provide for the safe keeping of public libraries,

4. Senate bill No. 78, entitled

A bill to amend sections one, two, three, four, five, six and thirteen, of chapter one hundred and twenty-six, of the revised statutes of 1846, entitled "Of certain liens upon real property," being sections numbered 5068, 5069, 5070, 5071, 5072, 5073 and 5080, of chapter 154, of compiled laws, entitled "Of the lien of mechanics and others;"

5. Senate bill No. 94, entitled

A bill making appropriation for the State Normal School;

6. Senate bill No. 87, entitled

A bill for the incorporation of societies of marksmen;

Which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first and second named bills were read a first and second time by their titles, and referred to the committee on State affairs.

The third named bill was read a first and second time by its title, and referred to the committee on State Library.

The fourth named bill was read a first and second time by its title, and referred to the committee on State affairs.

The fifth named bill was read a first and second time by its title, and referred to the committee on education.

The sixth named bill was read a first and second time by

its title, and referred to the committee on banks and incorporations.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, March 2, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 100, entitled

A bill to repeal the charter of the Monroe and Saline plank road company;

Which has passed the Senate, by a two-thirds vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,  
*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, March 2, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 64, entitled

A bill to provide for free schools, and to amend sections 2264, 2267, 2272, 2275, 2301, 2323, 2350 and 2384, of the compiled laws, being sections 21, 24, 29, 32, 58, 80 and 107, of chapter 78, of the revised statutes of 1846, and section 1 of an act entitled an act to amend the revised statutes, relative to the support of primary schools and the custody of the township libraries, approved April 2, 1850, and to repeal sections 2276, 2277, 2278, 2283, 2285, 2286, 2287, 2288, 2289, 2290 and 2381, of the compiled laws;

Which has passed the Senate by a majority vote of all the

Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on education.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 2, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following concurrent resolution:

**CONCURRENT RESOLUTION** relative to the legislative excursion to the Deaf, Dumb and Blind Asylum, at the city of Flint.

*Whereas*, The Legislature of the State of Michigan did accept the invitation of the Trustees of the Deaf, Dumb and Blind Asylum, to visit that institution at the city of Flint, on the 26th ult., and also the invitations of the city municipalities of the cities of Saginaw, Bay, East Saginaw, Flint and Owosso;

*And whereas*, The Jackson, Lansing and Saginaw railroad company, the Flint and Pere Marquette railroad company, together with the Detroit and Milwaukee railway company, having tendered their respective roads, cars and engines for the purpose of conveying the parties on said excursion;

*And whereas*, The Michigan Central Railroad Company having also placed at the disposal of the other railway companies, the free use of one of their magnificent "Pullman's palace cars," as a reception car for His Excellency, Henry P. Baldwin, the Governor of the State of Michigan, the State officers and the members of the Legislature; therefore,

*Resolved*, (the Senate concurring,) That the well-merited thanks of this Legislature be and the same are unanimously given to the Trustees of the Asylum for the Deaf, Dumb and Blind, at the city of Flint, for the highly creditable manner in



which they were received at their noble institution—reflecting as it did, the highest honor upon our State, and upon Egbert L. Bangs, A. M., the Principal, and the various teachers connected with it.

*Resolved*, That the more than generous offer of the Jackson, Lansing and Saginaw railroad company, the Flint and Pere Marquette railroad company, the Detroit and Milwaukee railway company, and the Michigan Central railroad company, to convey, without any compensation whatever, to and from Lansing, a distance exceeding 230 miles, the Executive of the State, the State officers, the members of both Houses of the Legislature, together with over one hundred and fifty other invited guests, is, we believe, without a parallel in the history of railroads in our State, and richly deserves at our hands this public acknowledgment for their magnanimity, and fully entitles them in the *future*, as in the past, to the confidence and support of the citizens of our State.

*Resolved*, That in accepting the invitation of the municipalities of the cities of Saginaw, Bay, East Saginaw, Flint and Owosso, and the open-hearted citizens of the same, wherein the wants and necessities of the inner-man were more than supplied, we hereby place upon record our faithful and sincere thanks, and assure our friends in these localities that we shall, for many a year, speak from the heart of their generous welcome, and hospitable cheer.

*Resolved*, That from the commencement of the excursion to our safe return to the Capitol, that much of our comfort and happiness depended upon the admirable arrangements made by the Hon. J. B. Walker, chairman of the Board of Trustees of the Asylum at Flint, and also to the Hon. O. M. Barnes, managing director of the Jackson, Lansing and Saginaw railroad, and to Col. E. H. Thomson, of Flint.

*Resolved*, That His Excellency, the Governor of the State, be respectfully requested to transmit copies of the foregoing preamble and resolutions, under the great seal of the State, to the presidents of the various railroads herein mentioned; to the

mayors of the respective cities, and to the gentlemen herein named;

In the passage of which the Senate has concurred.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The concurrent resolution was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, February 24, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Whereas*, The petitions and other papers on which Executive clemency and pardons of convicts in State Prison have been granted for the last four years, are not on file in the office of the Governor of this State, where, in the opinion of the Legislature they should be; therefore, be it

*Resolved*, (the Senate concurring,) That ex-Governor Crapo be and he is hereby respectfully requested to forward all papers now in his possession, on which pardons of convicts have been based, to the Governor of this State, that they may be filed in the archives of that office;

In the passage of which the Senate has concurred.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The concurrent resolution was referred to the committee on engrossment and enrollment, for enrollment.

#### THIRD READING OF BILLS.

House manuscript bill, entitled

A bill to amend and revise an act entitled "An act to revise the charter of the village of Port Huron," approved February 15, 1859,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Huston moved that the bill be laid on the table;

Which motion did not prevail.

Mr. Sanford moved that the bill be recommitted to the committee on banks and incorporations;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Hunt,	Mr. Sheldon,
Barnaby,	Hurlbut,	Sheldon,
Baxter,	Huston,	Shier,
Beall,	Hutchinson,	Sickels,
Blake,	Ingersoll,	Smith,
Bostwick,	Jewell,	Snell,
G. G. Briggs,	F. G. Kendrick,	Stannard,
R. V. Briggs,	Kingsley,	Stewart,
Cameron,	Klein,	Stockbridge,
B. Clark,	Lee,	Swift,
O. Clark,	Lovell,	Ternes,
Cogshall,	Mandigo,	Thompson,
Crane,	McCowen,	Vowles,
Curry,	McKernan,	Wagner,
Davis,	Mead,	Walker,
Doty,	Miles,	Weier,
Eaton,	Miller,	Wendell,
Eck,	Millington,	Westover,
Fenner,	Mitchell,	White,
Fuller,	Murray,	Wilcox,
Goodrich,	Newman,	H. G. Williams,
Grant,	Norton,	J. A. Williams,
Harris,	Riford,	W. D. Williams,
Hartson,	Riopelle,	Woodard,
Horton,	Romeyn,	Yawkey,
Hubbard,	Seward,	Speaker, 78

#### NAYS.

Mr. Mason,	Mr. Putnam,	Mr. Ward,
Plimpton,	Sanford,	5

Pending the announcement of the vote,

Mr. H. G. Williams moved that Mr. Ward be excused from voting;

mayors of the respective cities, and to the gentlemen herein named;

In the passage of which the Senate has concurred.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The concurrent resolution was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, February 24, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Whereas*, The petitions and other papers on which Executive clemency and pardons of convicts in State Prison have been granted for the last four years, are not on file in the office of the Governor of this State, where, in the opinion of the Legislature they should be; therefore, be it

*Resolved*, (the Senate concurring,) That ex-Governor Crapo be and he is hereby respectfully requested to forward all papers now in his possession, on which pardons of convicts have been based, to the Governor of this State, that they may be filed in the archives of that office;

In the passage of which the Senate has concurred.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The concurrent resolution was referred to the committee on engrossment and enrollment, for enrollment.

#### THIRD READING OF BILLS.

House manuscript bill, entitled

A bill to amend and revise an act entitled "An act to revise the charter of the village of Port Huron," approved February 15, 1859,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Huston moved that the bill be laid on the table;

Which motion did not prevail.

Mr. Sanford moved that the bill be recommitted to the committee on banks and incorporations;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Hunt,	Mr. Sheldon,
Barnaby,	Hurlbut,	Sheldon,
Baxter,	Huston,	Shier,
Beall,	Hutchinson,	Sickels,
Blake,	Ingersoll,	Smith,
Bostwick,	Jewell,	Snell,
G. G. Briggs,	F. G. Kendrick,	Stannard,
R. V. Briggs,	Kingsley,	Stewart,
Cameron,	Klein,	Stockbridge,
B. Clark,	Lee,	Swift,
O. Clark,	Lovell,	Ternes,
Cogahall,	Mandigo,	Thompson,
Crane,	McCowen,	Vowles,
Curry,	McKernan,	Wagner,
Davis,	Mead,	Walker,
Doty,	Miles,	Weier,
Eaton,	Miller,	Wendell,
Eck,	Millington,	Westover,
Fenner,	Mitchell,	White,
Fuller,	Murray,	Wilcox,
Goodrich,	Newman,	H. G. Williams,
Grant,	Norton,	J. A. Williams,
Harris,	Riford,	W. D. Williams,
Hartson,	Riopelle,	Woodard,
Horton,	Romeyn,	Yawkey,
Hubbard,	Seward,	Speaker,      78

NAYS.

Mr. Mason,	Mr. Putnam,	Mr. Ward,
Plimpton,	Sanford,	5

Pending the announcement of the vote,

Mr. H. G. Williams moved that Mr. Ward be excused from voting;

Which motion did not prevail.

Mr. Ward then voted as recorded above.

Mr. Klein moved that Mr. Sanford be excused from voting;

Which motion did not prevail.

Mr. Klein moved that Mr. Plimpton be excused from voting;

Which motion did not prevail.

Mr. Sanford then voted as recorded above.

Mr. Plimpton then voted as recorded above.

Mr. Seward moved that Mr. Mason be excused from voting;

Which motion did not prevail.

Mr. Mason then voted as recorded above.

The title was agreed to.

On motion of Mr. Miles,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 46, entitled

A bill to incorporate the village of Ovid;

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
G. G. Briggs,  
R. V. Briggs,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Curry,  
Davis,  
Doty,  
Dussean,  
Eaton,  
Eck,  
Elliott,  
Fenner,

Mr. Hunt,  
Hurlbut,  
Huston,  
Hutchinson,  
Ingersoll,  
Jewell,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lee,  
Lovell,  
Mandigo,  
McCowen,  
McKernan,  
Miles,  
Miller,  
Millington,  
Mitchell,  
Murray,  
Newman,  
Norton,

Mr. Seward,  
Sheldon,  
Shir,  
Sickels,  
Smith,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Vowles,  
Wagner,  
Walker,  
Ward,  
Weier,  
Wendell,  
Westover,  
White,  
Wilcox,

Fuller,  
Goodrich,  
Grant,  
Harris,  
Hartson,  
Horton,  
Hubbard,

Plimpton,  
Putnam,  
Riford,  
Riopelle,  
Romeyn,  
Sanford,

H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker,

82

[NAYS.

Mr. Mason,

1

Title agreed to.

On motion of Mr. Sickels,

By a vote of two-thirds of all the members elect, the bill  
was ordered to take immediate effect.

Senate bill No. 37, entitled

A bill to provide for the improvement of the navigation of  
Saginaw river,

Was read a third time, and pending the taking of the vote  
on the passage thereof,

Mr. Yawkey moved to amend by striking out in line 2, of  
section 6, the word "ninth," and inserting in lieu thereof the  
word "thirtieth;"

Which was agreed to.

The bill was then passed, a majority of all the members elect  
voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
G. G. Briggs,  
R. V. Briggs,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Curry,  
Davis,  
Doty,

Mr. Hunt,  
Hurlbut,  
Huston,  
Hutchinson,  
Ingersoll,  
Jewell,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lee,  
Lovell,  
Mandigo,  
Mason,  
McKernan,  
Mead,  
Miles,

Mr. Seward,  
Sheldon,  
Shier,  
Sickels,  
Smith,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Vowles,  
Wagner,  
Walker,  
Walton,

Dusseau,  
Eaton,  
Eck,  
Elliott,  
Fenner,  
Fuller,  
Goodrich,  
Grant,  
Harris,  
Hartson,  
Horton,  
Hubbard,

Miller,  
Millington,  
Mitchell,  
Murray,  
Norton,  
Plimpton,  
Putnam,  
Riford,  
Riopelle,  
Romeyn,  
Sanford,

Ward,  
Weier,  
Wendell,  
Westover,  
Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker,

82

NAYS.

0

Title agreed to.

On motion of Mr: Yawkey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The Sergeant-at-Arms announced the Private Secretary of the Governor, who transmitted to the House a message from His Excellency, the Governor, in writing.

House bill No. 98, entitled

A bill to authorize the electors of the township of Bennington, in the county of Shiawassee, to raise by tax a sum not exceeding three hundred dollars, to pay George W. Hunt on account of enlisting in the military service of the United States, and being credited on the quota of said township on the draft of 1864;

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Ingersoll offered the following as a substitute for the bill:

A BILL to authorize the township of Bennington, in the county of Shiawassee, to raise by tax a certain sum of money for the relief of George W. Hunt.

SECTION 1. *The People of the State of Michigan enact, That the supervisor of the township of Bennington, in the county of Shiawassee, be and the same is hereby authorized, to spread upon the next annual assessment roll the sum of three hundred dollars, the same or any part thereof to be applied, when col-*



lected, in payment of any just claim that George W. Hunt may have against said township on account of enlisting in the military service of the United States, and being credited in the quota of said township on the draft of 1864;

Which was adopted.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Huston,	Mr. Sanford,
Barnaby,	Hutchinson,	Seward,
Baxter,	Ingersoll,	Shaw,
Beall,	Jewell,	Sheldon,
Blake,	F. G. Kendrick,	Sickels,
Bostwick,	Kingsley,	Slayton,
G. G. Briggs,	Klein,	Smith,
R. V. Briggs,	Lee,	Snell,
Cameron,	Lovell,	Stannard,
B. Clark,	Mandigo,	Stewart,
O. Clark,	Mason,	Stockbridge,
Cogshall,	McCowen,	Swift,
Crane,	McKernan,	Ternes,
Curry,	Mead,	Thompson,
Davis,	Miles,	Vowles,
Doty,	Miller,	Wagner,
Dusseau,	Millington,	Walker,
Eck,	Mitchell,	Walton,
Elliott,	Murray,	Ward,
Fenner,	Newman,	Weier,
Fuller,	Norton,	Wendell,
Grant,	Osborn,	Westover,
Harris,	Purcell,	Wilcox,
Harrison,	Putnam,	H. G. Williams,
Horton,	Riford,	W. D. Williams,
Hubbard,	Riopelle,	Yawkey,
Hunt,	Romeyn,	Speaker,
Hurlbut,	Rowlson,	

83

## NAYS.

Mr. Goodrich,

1

Title agreed to.

House bill No. 168, entitled

A bill to provide for the laying out and establishing a State

road in the county of Alcona, and to appropriate certain non-resident highway taxes to aid in the construction of the same,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Hurlbut,	Mr. Seward,
Barnaby,	Huston,	Shaw,
Baxter,	Hutchinson,	Sheldon,
Beall,	Ingersoll,	Sickels,
Blake,	Jewell,	Slayton,
Bostwick,	Kingale,	Smith,
G. G. Briggs,	Klein,	Snell,
R. V. Briggs,	Lee,	Stannard,
Cameron,	Mandigo,	Stewart,
B. Clark,	Mason,	Stockbridge,
O. Clark,	McKernan,	Swift,
Cogshall,	Mead,	Ternes,
Curry,	Miles,	Vowles,
Davis,	Miller,	Wagner,
Doty,	Millington,	Walker,
Duseau,	Mitchell,	Walton,
Eck,	Murray,	Ward,
Fenner,	Newman,	Wier,
Fuller,	Norton,	Wendell,
Goodrich,	Osborn,	Westover,
Grant,	Parcell,	Wilcox,
Harris,	Putnam,	H. G. Williams,
Hartson,	Riopelle,	W. D. Williams,
Horton,	Riford,	Yawkey,
Hubbard,	Romeyn,	Speaker,
Hunt,	Sanford,	

77

## NAYS.

Mr. Elliott, Mr. Lovell, Mr. McCowan, 3

Title agreed to.

On motion of Mr. R. V. Briggs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 76, entitled

A bill to set off and incorporate a portion of the townships of Manistee and Stronach, in the county of Manistee, into a city by the name of the city of Manistee,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Barnaby,	Mr. Hurlbut,	Mr. Seward,
Baxter,	Huston,	Shaw,
Beall,	Hutchinson,	Sheldon,
Blake,	Ingersoll,	Sickels,
Bostwick,	Jewell,	Slayton,
G. G. Briggs,	Kingsley,	Smith,
R. V. Briggs,	Klein,	Snell,
Cameron,	Lee,	Stannard,
B. Clark,	Lovell,	Stewart,
O. Clark,	Mandigo,	Stockbridge,
Cogshall,	McCowen,	Swift,
Crane,	McKernan,	Tarnes,
Curry,	Mead,	Vowles,
Davis,	Miles,	Wagner,
Doty,	Millington,	Walker,
Dussean,	Mitchell,	Walton,
Eck,	Murray,	Ward,
Elliott,	Newman,	Weier,
Fenner,	Norton,	Wendell,
Fuller,	Osborn,	Westover,
Goodrich,	Purcell,	Wilcox,
Grant,	Putnam,	H. G. Williams,
Harris,	Riford,	J. A. Williams,
Hartson,	Riopelle,	W. D. Williams,
Horton,	Romeyn,	Yawkey,
Hubbard,	Sanford,	Speaker,
Hunt,		

79

## NAYS.

0

Mr. Mitchell moved to amend the title so that it should read  
 "A bill to incorporate the city of Manistee;"

Which motion prevailed.

The title, as amended, was agreed to.

On motion of Mr. Mitchell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

## MESSAGE FROM THE GOVERNOR.

By unanimous consent, the Speaker announced the following:

EXECUTIVE OFFICE, }  
Lansing, March 3, 1869. }

*To the Legislature:*

The Congress of the United States, by the concurrent constitutional vote of the two Houses, having resolved to submit to the Legislatures of the several States an amendment to the Constitution of the United States, I herewith transmit the concurrent resolution with the proposed amendment. They are as follows:

*Be it resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, (two-thirds of both Houses concurring,) That the following amendment to the Constitution of the United States, be submitted to the Legislatures of the several States, and when ratified by three-fourths thereof, it shall be a part of said Constitution:*

Art. 15. The right of the citizens of the United States to vote, shall not be denied or abridged by the United States, or by any State, on account of race, color or previous condition of servitude.

Sec. 2. The Congress shall have power to enforce this article by appropriate legislation.

This amendment may not be precisely such as would have been most acceptable to the people of Michigan, nevertheless it is in the right direction, and, I cannot doubt, will receive your cordial ratification.

I recommend your immediate action on the subject.

HENRY P. BALDWIN.

On motion of Mr. Mead,

The message was referred to the committee on federal relations.

## MOTIONS AND RESOLUTIONS.

Mr. Mead moved to take from the table House manuscript joint resolution, entitled

Joint resolution proposing amendment to section 7, of article

15, of the Constitution of Michigan, in relation to liabilities of stockholders in joint stock corporations or associations;

Which motion prevailed.

On motion of Mr. Hurlbut,

The joint resolution was recommitted to the committee on the judiciary.

Mr. Wilcox offered the following:

*Whereas*, In the opinion of this body, females should have the same advantages for education that males enjoy;

*And whereas*, The most economical and efficient course should be pursued to secure to them these advantages; therefore,

*Resolved*, (the Senate concurring,) That the Regents of the Michigan State University be and they are hereby requested to admit females into that institution, with the same privileges for study, in any of its departments, and the same opportunities for honors, that are allowed to males.

Laid on the table for one day, under the rules.

#### GENERAL ORDER.

On motion of Mr. Horton,

The House went into committee of the whole, on the general order,

Mr. G. G. Briggs in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 62, entitled

A bill to authorize the locating, establishing and constructing of ditches, drains and water-courses, by highway commissioners of townships, and repealing all acts relating thereto;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

GEORGE G. BRIGGS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Baxter,

The House concurred in the amendments made to the bill by the committee, and the bill was placed on the order of third reading.

Mr. Sanford moved to take from the table the enacting clause of House joint resolution, entitled

Joint resolution for the relief of Hiram Ransom,

Which motion prevailed.

On motion of Mr. Sanford,

The enacting clause of the joint resolution was referred to the committee on federal relations.

On motion of Mr. Purcell,

The House adjourned until to-morrow morning at 9 o'clock.

---

*Lansing, Thursday, March 4, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Fitch.

Roll called: quorum present.

Absent without leave: Messrs. Crossman, Mead and White.

Mr. Miller asked and obtained leave of absence for Mr. Mead, until Wednesday morning.

Mr. Grant asked and obtained leave of absence for himself, until Tuesday.

Mr. Wilcox asked and obtained leave of absence for Mr. White, for the day.

#### PRESENTATION OF PETITIONS.

By Mr. McKernan: memorial of J. A. Hubbell and 750 others, citizens of Houghton county, asking the Legislature to cede the Upper Peninsula of Michigan to the General Government, for the purpose of organizing a Territory therefrom.

Referred to the committee on federal relations.

By Mr. McKernan: petition of R. Sheldon and 142 others, citizens of Houghton village, asking the passage of a law au-

thorizing the common council of said village to issue bonds to aid in the construction of water works for said village.

Referred to the committee on banks and incorporations.

By Mr. Smith: petition of John K. Barnard and 49 others, asking the passage of a law legalizing all the recorded highways in the town of Danby, Ionia county.

Referred to the committee on roads and bridges.

By Mr. Smith: petition of A. Newman and 10 others, asking that line 4, section 58, of Senate bill 64, be amended by adding the following:

*"Provided, always, That any person, subject to pay a school tax in any district, shall have the privilege of sending to such school any number of scholars as the schooling thereof shall amount to the sum he shall be so subject to pay, free of any further charge therefor, whether of his own children, or residents of said district, or otherwise, but who shall live in such district during the time of attending such school."*

Referred to the committee on education.

By Mr. Slayton: remonstrance of C. E. Silsbee, President of Michigan Furniture Company, against the passage of the bill dissolving said company.

Referred to the committee on banks and incorporations.

By Mr. Brownell: remonstrance of P. White and 23 others, against the city charter of Lapeer;

Also: remonstrance of R. White and 27 others, for the same;

Also: remonstrance of E. Kellam and 20 others, against the same.

Referred to the committee on banks and incorporations.

By Mr. Brownell: petition of J. Bently and 14 others, citizens of Lapeer, for a city charter;

Also: petition of the president and trustees of the village of Lapeer, for the same purpose;

Also: petition of T. H. Calkins and 33 others, for the same purpose;

Also: petition of John Abbott and 66 others, for the same purpose.

Referred to the committee on banks and incorporations.

By Mr. Cameron: petition of I. D. Bixby and 31 others, praying for a city charter for the village of Kalamazoo.

Referred to the committee on banks and incorporations.

By Mr. Cameron: remonstrance of H. M. Peck and 301 others, against a city charter for the village of Kalamazoo.

Referred to the committee on banks and incorporations.

#### REPORTS OF STANDING COMMITTEES.

By the committee on education:

The committee on education, to whom was referred Senate bill No. 65, being

A bill to legalize the organization of union school district No 1, of Wyoming and Georgetown, in the counties of Kent and Ottawas, in the State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred Senate bill No. 94, being

A bill making appropriations for the State Normal School,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.



By the committee on education:

The committee on education, to whom was referred

A bill to amend section 1, of act No. 153, of the session laws of 1861, being an act entitled "an act to incorporate the public schools of the city of Adrian," approved March 13, 1861,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. G. G. Briggs,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred Senate bill No. 64, entitled

A bill to provide for free schools, and to amend sections 2264, 2267, 2272, 2275, 2301, 2323, 2350 and 2384, of the compiled laws, being sections 21, 24, 29, 32, 58, 80 and 107, of chapter 78, of the revised statutes of 1846, and section 1 of an act entitled an act to amend the revised statutes, relative to the support of primary schools and the custody of the township libraries, approved April 2, 1850, and to repeal sections 2276, 2277, 2278, 2283, 2285, 2286, 2287, 2288, 2289, 2290 and 2381, of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred

A bill to amend sections 5 and 6, of chapter 70, of the compiled laws, relative to telegraph companies, as amended by act number 240, of the session laws of eighteen hundred and sixty-three, sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19, of said chapter 70 of the compiled laws, and section 20, of said act No. 240, of the session laws of 1863, and to repeal section 21 of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

R. B. SMITH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cogshall,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred

A bill authorizing the city of Saginaw to raise money to aid in the construction of the Flint and Pere Marquette R. R. Company's road, and the Jackson and Lansing railroad, or either of them,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do

pass, and ask to be discharged from the further consideration of the subject.

R. B. SMITH, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the Agricultural College:

The committee on the Agricultural College, to whom was referred Senate bill No. 96, entitled

A bill to amend an act entitled an act to provide for the selection, care and disposition of the lands donated to the State of Michigan, by act of Congress, approved July 2, 1862, for the endowment of colleges for the benefit of agriculture and the mechanic arts, approved March 18, 1863,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GEO. P. SANFORD, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on agriculture:

The committee on agriculture, to whom was referred

A bill to amend an act entitled an act to reorganize the Agricultural College of the State of Michigan, and establish a State board of agriculture, approved March 15, 1861;

Also,

A bill to tax stallions kept for service as such, within this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that they do not pass, and ask to be discharged from the further consideration of the subject.

ENOS T. LOVELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Cogshall,

The bills were laid on the table.

By the committee on mines and minerals:

The committee on mines and minerals, to whom was referred

A bill to amend section two of an act entitled "An act to authorize the formation of corporations for mining, smelting, manufacturing iron, copper, mineral coal, silver, or other ores or minerals, and for other manufacturing purposes," approved February 5th, 1853, being section 1800 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to amend section two of an act entitled "An act to authorize the formation of corporations for mining, smelting, manufacturing iron, copper, mineral coal, silver, or other ores or minerals, and for other manufacturing purposes," approved February 5th, 1853, being section 1800, of the compiled laws,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

H. G. WILLIAMS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. McKernan,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to attach the west half of the unorganized county of Clare to the county of Mecosta, and to the township of Big Rapids,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to organize townships 17, 18, 19 and 20 north, of range 13 and 14 west, into a township by the name of Lake,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations would respectfully report in relation to the missing bill, entitled "a bill to revise the charter of Bay City," and the resolution adopted by this House on the 24th of February last, directing the Sergeant-at-Arms of the House to bring the body of one Daniel Burns before the bar of this House, to answer to the charge of contempt, in retaining said bill in his possession: That on the first day of March, inst., said bill was found on the desk of the chairman, left there by some person, or in some way, to your committee unknown. Said bill has been considerably mutilated, and changed in several important points, since last in the possession of your committee, as they are informed by the gentleman who introduced said bill into this House.

The committee would make no recommendation in the matter, but leave the House to take such action thereon as may seem best.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Yawkey,

The Sergeant-at-Arms was instructed to bring the body of Daniel Burns to the bar of the House, as heretofore instructed by resolution of the House.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to attach the east half of the unorganized county of Lake to the county of Osceola, when fully organized,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
*Lansing, March 3, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following joint resolution: ‘

House joint resolution No. 6, entitled

Joint resolution for the relief of Theron Ford,

And to inform the House that the Senate has amended the same as follows:

1. By striking out in line 2 of the resolution, the words “execute a conveyance,” and inserting in place thereof, the word “convey;”

2. By striking out in line 3, the words “releasing to him any right the State may have to;”

3. By inserting after the word “feet,” the words “and the said Wm. H. Haze, the said south twenty-two feet;”

4. By adding at the end of the resolution the words "upon the payment into the State treasury by Theron Ford of two-thirds, and by Wm. H. Haze of one-third of the original valuation of lot one, block eighty-three aforesaid, and interest from the date of the first tax deed from the State, of said lot;"

5. The Senate has amended the title of the joint resolution, by inserting after the word "Ford," the words "and William H. Haze," and the preamble, by inserting in line 13, after the word "feet," the words "and Wm. H. Haze, of the same place, has purchased the title to the south twenty-two feet;"

In the passage of which, as thus amended, the Senate has concurred by a two-thirds vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Baxter moved that the House concur in the amendments made to the joint resolution by the Senate.

Mr. Sanford moved to amend the Senate amendment by adding to the amendment added at the end of the resolution, the following:

"*Provided*, That neither said Theron Ford, Wm. H. Haze, nor any other person, shall have any claim upon this State for money paid for taxes or for tax titles, on said lot 1, block 83;"

Which was agreed to.

The amendments made to the joint resolution by the Senate, as thus amended, were then concurred in, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Hurlbut,	Mr. Sanford,
Avery,	Hutchinson,	Seward,
Barnaby,	Ingersoll,	Shaw,
Baxter,	Jewell,	Sheldon,
Beall,	F. G. Kendrick,	Shier,
Bostwick,	Kingsley,	Slayton,
G. G. Briggs,	Klein,	Snell,
Brownell,	Lee,	Stannard,

Cameron,	Lovell,	Stockbridge,
B. Clark,	Mason,	Swift,
O. Clark,	McCowen,	Tarnes,
Cogshall,	McKernan,	Thompson,
Crane,	Miller,	Vowles,
Curry,	Millington,	Wagner,
Davis,	Mitchell,	Walker,
Doty,	Murray,	Walton,
Eaton,	Newman,	Ward,
Eck,	Norton,	Weier,
Elliott,	Osborn,	Wendell,
Fenner,	Plimpton,	Westover,
Fuller,	Purcell,	Wilcox,
Gifford,	Putnam,	H. G. Williams,
Goodrich,	Riford,	W. D. Williams,
Harris,	Riopelle,	Woodard,
Hartson,	Romeyn,	Yawkey,
Hubbard,	Rowlson,	Speaker,
Hunt,		

79

## NAYS.

Mr. Horton,                      Mr. Stewart,                      Mr. J. A. Williams, 3

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 3, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following joint resolution:

Senate joint resolution No. 10, entitled

Joint resolution making an appropriation of one thousand dollars, for engrossing a roll of honor on parchment, and for binding the same, for State Library, and the original for Adjutant General's office;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The joint resolution was read a first and second time by its title, and referred to the committee on military affairs.



The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, March 3, 1869.* }

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 56, entitled

A bill to repeal act No. 237, of the session laws of 1861, approved March 16, 1861, being an act to regulate proceedings in certain cases of nuisance.

2. Senate bill No. 89, entitled

A bill to provide a tax for the expenses of the State government.

3. Senate bill No. 99, entitled

A bill to amend sections 16 and 35, of "An act to incorporate the city of Monroe," approved March 22, 1837.

4. Senate bill No. 104, entitled

A bill to amend section fifty-one of an act entitled "An act to incorporate the city of Battle Creek," approved February 3d, 1859,

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very Respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on ways and means.

The third and fourth named bills were read a first and second time by their titles, and referred to the committee on banks and incorporations.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 3, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 29, entitled

A bill to declare and establish the practice in charging or instructing juries, and in settling the law in cases tried in circuit courts;

2. Senate bill No. 41, entitled

A bill to provide for the construction of a road from Port Austin, in Huron county, to Unionville, in Tuscola county,

Which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on public lands.

The committee on engrossment and enrollment submitted the following report:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following:

Joint resolution requesting our members of Congress to use their influence in procuring the passage of an act granting the right of way and aid to the State of Michigan for the purpose of aiding in building a railroad from the shore of Green Bay or Bay-de-Noc to the iron district in Menominee county;

Also,

A bill to amend an act entitled an act to incorporate the village of Howell, approved March 14, 1863, and to add thereto one new section;

Also,

A bill to enable the Jackson, Lansing and Saginaw Railroad Company to change the northern terminus of its railroad to some point on Lake Superior, without prejudice to its rights, and to prescribe the time for the completion of the said road;

Also,

A bill to amend section seven, of act number 356, of laws of 1867, being an act to authorize the formation of corporations for literary and scientific purposes, approved March 21st, 1865;

Also,

A bill to define the boundaries of certain school districts in the township of Ishpeming, in the county of Marquette;

Also,

A bill making guarantees of promissory notes negotiable, and providing that they shall pass to the holders of such notes;

Also,

A bill to incorporate the village of Lawton;

Also,

A bill to incorporate the village of Saranac, in Ionia county.

E. M. MASON, *Chairman*.

Report accepted.

#### THIRD READING OF BILLS.

House bill No. 62, entitled

A bill authorizing the locating, establishing and constructing of ditches, drains and water courses, by highway commissioners of townships, and repealing all acts relating thereto,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Cameron moved that the bill be recommitted to the committee on drainage;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,  
Avery,

Mr. Harris,  
Horton,

Mr. Rowelson,  
Sanford,

Barnaby,	Hunt,	Seward,
Baxter,	Hurlbut,	Shaw,
Beall,	Huston,	Shier,
Blake,	Hutchinson,	Sickels,
Bostwick,	Ingersoll,	Snell,
G. G. Briggs,	F. G. Kendrick,	Stannard,
Brownell,	Lovell,	Stewart,
Cameron,	Mason,	Stockbridge,
B. Clark,	McCowan,	Thompson,
Cogshall,	McKernan,	Vowles,
Crane,	Miles,	Wagner,
Curry,	Miller,	Walker,
Davis,	Millington,	Ward,
Doty,	Mitchell,	Wendell,
Eck,	Murray,	Wilcox,
Elliott,	Newman,	H. G. Williams,
Fenner,	Norton,	J. A. Williams,
Fuller,	Purcell,	W. D. Williams,
Gifford,	Putnam,	Yawkey,
Goodrich,	Riford,	Speaker, 66

## NAYS.

Mr. R. V. Briggs,	Mr. Lee,	Mr. Swift,
O. Clark,	Riopelle,	Walton,
Hubbard,	Romeyn,	Weier,
Jewell,	Sheldon,	11

Pending the announcement of the vote,

Mr Vowles moved that Mr. Swift be excused from voting;

Which motion did not prevail.

Mr. Swift then voted as recorded above.

The title was agreed to.

## MOTIONS AND RESOLUTIONS.

Mr. Stockbridge moved to discharge the committee of the whole from the further consideration of Senate bill No. 70, entitled

A bill to provide for the payment of the salaries of the State officers for the years 1869 and 1870.

Which motion prevailed.

On motion of Mr. Stockbridge,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Sanford moved to amend by inserting in the 18th line of sections 1 and 2, after the words "Auditor General," the words, "and one clerk in the office of the Secretary of State."

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ashley,	Mr. Hubbard,	Mr. Romeyn,
Avery,	Hunt,	Rowlson,
Barnaby,	Hurlbut,	Sanford,
Baxter	Huston,	Shaw,
Beall,	Hutchinson,	Sheldon,
Blake,	Ingersoll,	Shier,
Bostwick,	Jewell,	Sickels,
G. G. Briggs,	F. G. Kendrick,	Snell,
Cameron,	Kingsley,	Stannard,
B. Clark,	Lee,	Stewart,
O. Clark,	Lovell,	Stockbridge,
Cogshall,	Mason,	Ternes,
Crane,	McCowen,	Thompson,
Curry,	McKernan,	Vowles,
Davis,	Miles,	Wagner,
Doty,	Miller,	Walker,
Eaton,	Millington,	Walton,
Eck,	Mitchell,	Weier,
Elliott,	Murray,	Wendell,
Fenner,	Newman,	Wilcox,
Fuller,	Norton,	H. G. Williams,
Gifford,	Purcell,	W. D. Williams,
Goodrich,	Putnam,	Woodard,
Harris,	Riford,	Yawkey,
Horton,	Riopelle,	Speaker, 75

## NAYS.

Mr. R. V. Briggs,	Mr. Swift,	Mr. J. A. Williams,
Seward,	Ward,	5

Pending the announcement of the vote,

Mr. Ward moved that Mr. J. A. Williams be excused from voting;

Which motion did not prevail.

Mr. Williams then voted as recorded above.

The title was agreed to.

On motion of Mr. G. G. Briggs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Huston moved to take from the table, the enacting clause of House bill No. 102, entitled

A bill to prevent animals from trespassing;

Which motion prevailed.

On motion of Mr. Huston,

The enacting clause was referred to the committee on public lands.

Mr. R. V. Briggs moved to discharge the committee of the whole from the further consideration of House bill No. 144, entitled

A bill to amend an act entitled "An act to incorporate the city of Wyandotte," approved March 5th, 1867, being act No. 277, of the session laws of 1867;

Which motion prevailed.

On motion of Mr. R. V. Briggs,

The bill was placed on its immediate passage.

The bill was read a third time, and pending the taking of the vote on the passage thereof,

Mr. R. V. Briggs moved to amend by adding, after the word "ballot," at the end of line 29, section 4, the following:

"*Provided*, That no director of the poor shall be elected under the provisions of this act, until the annual charter election, in the year 1870;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Horton,	Mr. Rowilson,
Baxter,	Hubbard,	Seward,
Blake,	Hunt,	Shaw,
Bostwick,	Hurlburt,	Sheldon,
G. G. Briggs,	Hutchinson,	Sickels,
R. V. Briggs,	Ingersoll,	Snell,
B. Clark,	Jewell,	Stannard,
O. Clark,	F. G. Kendrick,	Stewart,
Cogshall,	Kingsley,	Stockbridge,

Crane,	Klein,	Swift,
Curry,	Lee,	Ternes,
Davis,	Lovell,	Vowler,
Doty,	Mandigo,	Wagner,
Eaton,	McCowen,	Walker,
Eck,	Miller,	Walton,
Elliott,	Mitchell,	Wilcox,
Fenner,	Murray,	J. A. Williams,
Fuller,	Newman,	W. D. Williams,
Gifford,	Purcell,	Woodard,
Goodrich,	Putnam,	Yawkey,
Harris,	Riopelle,	Speaker,
Hartson,	Romeyn,	65
	NAYS.	0

Title agreed to.

On motion of Mr. R. V. Briggs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Harris moved to discharge the committee of the whole from the further consideration of House bill No. 70, entitled

A bill to repeal an act entitled "an act to protect mechanics and other laborers in the quiet and peaceful pursuit of their avocations," being act No. 163, of the session laws of 1867, approved March 27, 1867;

Which motion prevailed.

On motion of Mr. Harris,

The bill was placed on its immediate passage.

The bill was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Eaton,	Mr. Mason,	Mr. Sheldon,
Harris,	Murray,	Ternes,
F. G. Kendrick,	Purcell,	Woodard,
Klein,	Sanford,	11

#### NAYS.

Mr. Ashley,	Mr. Hurlbut,	Mr. Seward,
Avery,	Huston,	Shaw,
Barnaby,	Hutchinson,	Shier,
Baxter,	Ingersoll,	Sickles,

Bostwick,	Jewell,	Slayton,
G. G. Briggs,	Kingsley,	Snell,
R. V. Briggs,	Lee,	Stannard,
Brownell,	Lovell,	Stewart,
Cameron,	Mandigo,	Stockbridge,
B. Clark,	McCowan,	Swift,
O. Clark,	McKernan,	Thompson,
Crane,	Miles,	Vowles,
Curry,	Miller,	Wagner,
Davis,	Millington,	Walker,
Doty,	Mitchell,	Walton,
Eck,	Newman,	Ward,
Elliott,	Norton,	Wendell,
Fenner,	Osborn,	Westover,
Fuller,	Plimpton,	Wilcox,
Gifford,	Putnam,	H. G. Williams,
Hartson,	Riford,	J. A. Williams,
Horton,	Riopelle,	W. D. Williams,
Hubbard,	Romeyn,	Yawkey,
Hunt,	Rowlson,	Speaker, 72

Pending the announcement of the vote,

Mr. Walker moved that Mr. Stewart be excused from voting;  
Which motion did not prevail.

Mr. Stewart then voted as recorded above.

Mr. H. G. Williams moved that Mr. J. A. Williams be excused  
from voting;

Which motion did not prevail.

Mr. J. A. Williams then voted as recorded above.

Mr. Mitchell moved to discharge the committee of the whole  
from the further consideration of House bill No. 143, entitled  
A bill to organize the county of Wexford;

Which motion prevailed.

On motion of Mr. Mitchell,

The bill was placed on its immediate passage.

The bill was then read a third time, and pending the taking  
of the vote on the passage thereof,

On motion of Mr. W. D. Williams,

The bill was referred to the committee on the judiciary.

Mr. Barnaby moved to take from the table House bill No.  
90, entitled



A bill to amend act No. 77, of the laws of 1861, entitled an act to amend section 5 of an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 28, A. D. 1861;

Which motion did not prevail.

Mr. Osborn moved to discharge the committee of the whole from the further consideration of House bill No. 75, entitled

A bill to repeal act No. 426, of the session laws of 1867, entitled "An act to incorporate the public schools of the village of Hudson," approved March 25, A. D. 1867;

Which motion prevailed.

On motion of Mr. Osborn,

The bill was placed on the order of third reading.

MESSAGES FROM THE SENATE.

The Speaker, by unanimous consent, announced the following:

SENATE CHAMBER, }  
*Lansing, March 4, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 138, entitled

A bill providing for two voting precincts for the township of Kalamazoo, in the county of Kalamazoo, defining the limits thereof, and determining who shall be inspectors of election therein;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and,

On motion of Mr. Cameron,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Mason moved to refer the bill to the committee on the judiciary,

Which motion was withdrawn.

Mr. Baxter moved to amend by inserting in line 4 of section 5 the words "number two" after the word "precinct;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Hubbard,	Mr. Romeyn,
Avery,	Hunt,	Rowlson,
Barnaby,	Hurlbut,	Seward,
Baxter,	Huston,	Shaw,
Blake,	Hutchinson,	Sheldon,
Bostwick,	Ingersoll,	Sickels,
G. G. Briggs,	Jewell,	Smith,
Brownell,	Kingsley,	Snell,
Cameron,	Lee,	Stannard,
B. Clark,	Lovell,	Stewart,
O. Clark,	Mandigo,	Stockbridge,
Cogshall,	Mason,	Swift,
Crane,	McCowen,	Ternes,
Curry,	McKernan,	Thompson,
Davis,	Miles,	Vowles,
Doty,	Miller,	Wagner,
Eaton,	Millington,	Walker,
Eck,	Mitchell,	Walton,
Elliott,	Murray,	Westover,
Fenner,	Newman,]	Wilcox,
Fuller,	Osborn,	H. G. Williams,
Gifford,	Purcell,	J. A. Williams,
Goodrich,	Putnam,	W. D. Williams,
Harris,	Riford,	Yawkey,
Horton,	Riopelle,	Speaker, 75-

#### NAYS.

Mr. R. V. Briggs,	Mr. Slayton,	2-
-------------------	--------------	----

Title agreed to.

On motion of Mr. Cameron,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Barnaby moved to take from the table House bill No. 90, entitled

A bill to amend act No. 77 of the laws of 1861, entitled "An act to amend section 5 of an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 28, A. D. 1861;

Which motion prevailed.

On motion of Mr. Barnaby,

The bill was referred to the committee of the whole, and placed on the general order.

Mr. Stockbridge offered the following:

*Resolved*, (the Senate concurring,) That the Hon. Z. R. Brockway, of Detroit, be and he is hereby respectfully invited to deliver a lecture before this Legislature, in the Hall of the House of Representatives, at his earliest convenience, on the subject of reform in prison discipline, and in the general system of our penal institutions.

*Resolved*, That the Clerk of the House, and the Secretary of the Senate, be instructed to transmit a copy of these resolutions, duly certified, to Mr. Brockway.

On motion of Mr. Stockbridge,

The rule requiring a concurrent resolution to lay on the table for one day was suspended.

The concurrent resolution was then adopted.

Mr. Snell moved to discharge the committee of whole from the further consideration of House bill No. 125, entitled

A bill to organize the township of Elk, in the county of Huron.

Which motion prevailed.

On motion of Mr. Snell,

The bill was placed on its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Mead moved to amend by striking out the word "Elk"

in line 3 of the bill, and inserting in lieu thereof the word "Meade;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Hunt,	Mr. Shaw,
Avery,	Hurlbut,	Sheldon,
Barnaby,	Huston,	Shier,
Baxter,	Hutchinson,	Sickels,
Blake,	Ingersoll,	Slayton,
Bostwick,	Jewell,	Smith,
G. G. Briggs,	Kingsley,	Snell,
R. V. Briggs,	Lee,	Stannard,
Brownell,	Lovell,	Stewart,
Cameron,	Mandigo,	Stockbridge,
B. Clark,	McCowen,	Swift,
O. Clark,	McKernan,	Ternes,
Cogshall,	Miller,	Thompson,
Crane,	Millington,	Vowles,
Curry,	Mitchell,	Wagner,
Davis,	Murray,	Walker,
Doty,	Newman,	Walton,
Eck,	Norton,	Ward,
Elliott,	Osborn,	Wendell,
Fenner,	Purcell,	Westover,
Fuller,	Putnam,	Wilcox,
Gifford,	Riford,	H. G. Williams,
Goodrich,	Riopelle,	J. A. Williams,
Harris,	Romeyn,	W. D. Williams,
Horton,	Rowlson,	Yawkey,
Hubbard,	Seward,	Speaker, 78

## NAYS.

0

Mr. Snell moved to amend the title by striking out the word "Elk," and inserting "Meade" in lieu thereof.

Which motion prevailed.

The title, as amended, was agreed to.

On motion of Mr. Baxter,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Fuller moved to discharge the committee of the whole from the further consideration of Senate bill No. 44, entitled

A bill to organize the county of Osceola;

Which motion prevailed.

On motion of Mr. Fuller,

The bill was placed upon its immediate passage.

The bill was then read a third time, and pending the taking of vote on the passage thereof,

Mr. McCowen moved to amend, by striking out in line 3, of section 2, the word "Lyman," and inserting "Lynus" in lieu thereof;

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

# YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Blake,  
Bostwick,  
G. G. Briggs,  
R. V. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Curry,  
Davis,  
Doty,  
Eck,  
Elliott,  
Fenner,  
Fuller,  
Gifford,  
Goodrich,  
Harris,  
Hartson,  
Horton,  
Hubbard,

Mr. Hunt,  
Hurlbut,  
Huston,  
Hutchinson,  
Jewell,  
F. G. Kendrick,  
Kingsley,  
Lee,  
Lovell,  
Mandigo,  
McCowen,  
McKernan,  
Miles,  
Miller,  
Mitchell,  
Murray,  
Newman,  
Norton,  
Osborn,  
Plimpton,  
Purcell,  
Putnam,  
Riford,  
Biopelle,  
Romeyn,  
Rowison,

Mr. Seward,  
Shaw,  
Shier,  
Sickels,  
Slayton,  
Smith,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Vowles,  
Wagner,  
Walker,  
Walton,  
Ward,  
Wendell,  
Westover,  
Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker,

79

0

# NAYS.

Title agreed to.

On motion of Mr. Fuller,  
By a vote of two-thirds of all the members elect, the bill was  
ordered to take immediate effect.

On motion of Mr. Plimpton,  
The House took a recess until 2 o'clock this afternoon.

---

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.  
Roll called: quorum present.

SPECIAL ORDER.

On motion of Mr. Wilcox,  
The House went into committee of the whole, on the special  
order,

Mr. Millington in the chair.

After some time spent therein, the committee rose, and  
through the chairman, made the following report:

The committee of the whole have had under consideration  
the following entitled bill:

House bill No. 25, entitled

A bill to establish an institution of learning, to be called the  
Michigan Female College;

Have made some progress therein, but not having gone  
through therewith, have directed their chairman to report that  
fact to the House, and ask leave to sit again.

CHARLES R. MILLINGTON, *Chairman*.

Report accepted.

On motion of Mr. G. G. Briggs,  
Leave was granted the committee to sit again.

MESSAGE FROM THE GOVERNOR.

By unanimous consent, the Speaker announced the fol-  
lowing:

EXECUTIVE OFFICE, }  
Lansing, March 4, 1869. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State:

An act to amend section seven, of act No. 356, of laws of 1865, being "An act to authorize the formation of corporations for literary and scientific purposes," approved March 21, 1865;

Also,

An act to incorporate the village of Saranac, in Ionia county;

Also,

An act to amend an act entitled, "An act to incorporate the village of Howell," approved March 14, 1863, and to add thereto one new section.

Also,

An act to incorporate the village of Lawton;

Also,

A act making guarantees of promissory notes negotiable, and providing that they shall pass to the holders of such notes;

Also,

An act to legalize certain taxes of the townships of Zeeland, Blendon, Georgetown and Jamestown, in the county of Ottawa, for the year 1868;

Also,

Joint resolution requesting our members of Congress to use their influence in procuring the passage of an act granting the right of way and aid to the State of Michigan, for the purpose of aiding in building a railroad from the shore of Green Bay, or Bay de Noc, to the iron district in Menominee county,

HENRY P. BALDWIN.

The message was laid on the table.

Mr. Smith moved that the House take a recess until half-past seven o'clock.

On motion of Mr. Thompson,

The House adjourned until to-morrow morning at 9 o'clock.

*Lansing, Friday, March 5, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Davis.

Roll called: quorum present.

Absent without leave, Messrs. Ashley, Dusseau and Seward.

Mr. Prutzman asked and obtained leave of absence for Mr. Ashley until Wednesday morning.

Mr. Weier asked and obtained leave of absence for Mr. Dusseau until Wednesday next, on account of sickness.

Mr. Plimpton asked and obtained leave of absence for Mr. Seward until Tuesday next.

#### PRESENTATION OF PETITIONS.

By Mr. Crane: petition of Lewis Sanford, Charles A. Smith and 18 others, citizens of the township of Woodstock, asking for the passage of a law allowing said township of Woodstock to raise by tax a sufficient amount of money to pay Porter L. Swords for recruits furnished to fill the quota of said town.

Referred to the committee on military affairs.

By Mr. Swift: memorial of the board of trade of the city of Detroit, in relation to a geological survey of the State.

On motion of Mr. McKernan,

The memorial was laid on the table, and was ordered printed in the journal.

The following is the memorial:

BOARD OF TRADE ROOMS, }  
Detroit, Mich., Feb. 27, 1869. }

*To the Honorable, the Legislature of the State of Michigan:*

At a meeting of the Board of Trade held this day, the following preamble and resolutions were adopted:

*Whereas*, His Excellency, Governor Baldwin, has recommended in his message that the Geological Survey of this State be re-organized and provided for, and a joint committee of both houses of the Legislature having strongly recommended such work, and having reported a bill for the same;

*And whereas*, This Board recognizes the great value of such



surveys and reports in developing the material resources of the State by pointing out the location and value of the various ores, stones, coals, and other products of the earth, and making this information officially known to the people of this and other States, thereby calling attention to the unsurpassed advantages of the State of Michigan as a place of residence and for profitable investments; therefore

*Resolved*, That this Board earnestly recommends the passage of such bill, that the work may be begun under the direction of competent persons, to be selected by the Governor for the purpose.

WALTER BOURKE, *President*.

RAY HADDOCK, *Secretary*.

#### REPORTS OF STANDING COMMITTEES.

By the committee on federal relations:

The committee on federal relations, to whom was referred a communication from His Excellency, the Governor, submitting to this House the action of the Congress of the United States in proposing an amendment to the Constitution of the United States, to stand as the fifteenth amendment thereto,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying joint resolution, entitled

Joint resolution ratifying the proposed amendment to the constitution of the United States.

Recommending that the joint resolution do pass, and ask to be discharged from the further consideration of the subject.

G. W. SWIFT, *Chairman*.

Report accepted, and leave granted the minority of the committee to submit the following report:

The undersigned, minority of the committee on federal relations, to whom was referred a communication from the Governor, transmitting a concurrent resolution of Congress, submitting to the Legislatures of the several States an amendment to the constitution of the United States,

Respectfully reports that in his opinion it is not competent for this House to receive at this time, or to consider, the joint resolution reported by the majority of the committee, being entitled "Joint resolution ratifying the proposed amendment to the constitution of the United States," as more than fifty days of this session have elapsed. See art. 4, sec. 28, of the constitution of this State.

The claim made that the constitution of the United States is the supreme law of the land, and provides for its own amendment, does not affect the question, as nothing in that constitution prescribes the *time* when a State Legislature shall act; and it would seem that it might be left with greater propriety for ratification or rejection to a future Legislature, elected by the people with the subject in view.

Since the adoption of that provision in our present constitution, some ten years have elapsed, and each succeeding Legislature has confirmed the precedent first established, that under that instrument no new bill, (which includes joint resolutions by all precedents,) can be introduced after the first fifty days of the session, counting all days intervening from the first, in the same manner as they are counted on the pay-roll of members. The mere change of name from "joint" to "concurrent" resolution, cannot affect the question, as the same object is attained. To allow this would be to avoid and defeat the express constitutional provision above referred to, and allow the introduction of new business, in defiance of the prohibition in the constitution, after fifty days of the session had passed.

It is now the fifty-ninth day of the session, and, in the opinion of the minority of your committee, the reception and consideration of the resolution reported by the majority is wholly illegal and unconstitutional, and all action thereon will, be void and of no effect.

The undersigned further respectfully dissents from the propriety of ratifying the proposed amendments, if received by this House, for the reason, it is an encroachment upon the rights of the States, and of the people, reserved to them in the dele-

gation of powers to Congress in the constitution of the United States, and tends to weaken and destroy the checks and balances wisely framed by the fathers of the republic, and designed by them, for all time, to protect the people of the Union in the enjoyment of their social and political rights, and the blessings of a free government.

The undersigned submits these views to the House, in the hope that, by their action, they will maintain our State constitution in its integrity, and refuse to receive or consider the resolutions reported by the majority of the committee, and ask to be discharged from the further consideration of the subject.

C. MILES,

*Minority of Committee on Federal Relations.*

Report accepted.

The joint resolution was read a first and second time by its title, and,

On motion of Mr. Ingersoll,

The rules were suspended, and the joint resolution was placed on its immediate passage.

Mr. Ingersoll moved there be a call of the House;

Which motion prevailed.

#### PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and Mr. Sanford was reported absent without leave:

On motion of Mr. Shier,

All further proceedings under the call were dispensed with.

The joint resolution was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Romeyn presented the following

#### PROTEST.

The undersigned, members of the House of Representatives of the State of Michigan, controlled by a sense of their imperative duty as representing the constituency of a considerable portion of this State, do most respectfully but earnestly and solemnly protest against the action of this House, in receiving

on the fifty-eighth day of the session, and acting upon, the "Joint Resolution, ratifying the proposed amendment to the Constitution of the United States," and ask that this their protest, with the following reasons therefor, may be entered upon the journal of this House.

1st. Our State Constitution provides (Art. IV, Sec. 28,) "that no new bill shall be introduced into either House of the Legislature after the first fifty days of a session shall have expired."

The aforesaid resolution was first offered on the fifty-seventh day of the session, counting the same as established by the precedent action of all Legislatures since the adoption of the Constitution and by the pay-roll of the members, and reported from the committee fifty-nine days therefrom, and then first introduced into this House.

2d. The Constitution of the United States does not provide at what time State Legislatures shall act upon any proposed amendment, consequently it cannot be claimed that there is any emergency requiring our action. Besides, this Legislature was not elected with a view to action upon the proposed amendment, and cannot, in our opinion, in ratifying the same, properly claim to represent the constituency of this State, which, at a late vote upon a proposed Constitution containing similar provisions, rejected it by nearly forty thousand majority.

It therefore, as we respectfully urge, should not have been submitted to or acted upon by this House, but left to a Legislature chosen with reference thereto, the more especially, that a joint resolution to amend the Constitution of Michigan in regard to the question of suffrage has already been adopted by this House, and the ratification of the proposed amendment to the Constitution of the United States will take from our people the right to impose an educational electoral qualification, which has been agitated by both parties.

3d. The undersigned farther urge the inexpediency of the passage of those resolutions in any event.

Gradually and insidiously has the majority of the Congress of the United States encroached upon the reserved rights of the several States. First, under the plea of military necessity, and since, to preserve the domination of party; and while this amendment may be thought to be one in the cause of humanity, (which we neither admit nor deny, for the purpose of this protest,) yet we feel justified in protesting against it, and in earnestly warning our colleagues in this House, that this is but an entering wedge to still farther encroachments upon the rights of the people of the several States, heretofore thought to be safely protected by the Federal Constitution.

4th. If by the mere strength of political majorities, this amendment is fastened upon us, others will follow of perhaps more stringent character, until the consolidation of power in the General Government will be complete, and the States shorn of their right to legislate for their own internal welfare and interests.

5th. We dread the consequences to follow the adoption of this amendment, not viewing it alone as an entering wedge to others more odious.

Already are there among us "swarms of officers, to harass our people and eat out their substance." Throughout every town and hamlet, the United States Assessor and Collector are stationed, and have their deputies, spies and informers. Through all the land the Post Office employes of the General Government are scattered. Over the length and breadth of our common country are spread National Banking institutions, controlling, in a great measure, the finances of the nation from its nucleus and head, the Federal Treasury. And if to all those and more is to be added legislation by Congress under the second section of this amendment, we shall probably see registry laws and laws regulating elections at our own doors, enacted by a power we cannot reach or control. Officers under pay of the General Government, and only amenable to that government, will arbitrarily decide who may register and vote for President and Members of Congress, and for the State Leg-

islatures which elect Senators in Congress, and so on, *ad infinitum*, our elections will be under the control of men not chosen by us, and by those means we may suffer the evils of those States called reconstructed, though not yet admitted, while by increase of officers, official corruption will increase, and our debt, undiminished but growing, ultimately bankrupt us as a nation, and reduce us to the alternatives of anarchy or despotism.

In conclusion, the undersigned feel it their duty to tender to the Hon. Speaker and the members of this House, with whom we have thus far so pleasantly associated and co-operated in the business of the session, our warmest thanks for their consideration and courtesy to the minority on this floor, by which no cause of discord has arisen among us. And we now, in presenting this our protest, with the request that it be entered upon the journal, do so with regret that anything should have occurred here to raise a question, seemingly of a political party nature, earnestly hoping that though raised, it will be transient and temporary, and peace and harmony prevail to our session's close.

Lansing, March 5, 1869.

JAS. W. ROMEYN, 1st Dis't, Wayne Co.

CYRUS MILES, 2d Dis't, St. Clair Co.

J. H. HUBBARD, 1st Dis't, Jackson Co.

ROBERT V. BRIGGS, 3d Dis't, Wayne Co.

WILLIAM PURCELL, 1st Dis't, Wayne Co.

JAMES B. LEE, 1st Dis't, Livingston Co.

D. A. WOODARD, 2d Dis't, Monroe Co.

JOSEPH WEIER, 1st Dis't, Monroe Co.

F. G. KENDRICK, 2d Dis't, Macomb Co.

CLAUDE N. RIOPELLE, 1st Dis't, Wayne Co.

J. B. EATON, 2d Dis't, Jackson Co.

P. KLEIN, 1st Dis't, Wayne Co.

E. R. WILCOX, Oakland Co.

JAMES STEWART, 5th Dis't, Wayne Co.

PETER TERNES, 2d Dis't, Wayne Co.

JAMES KINGSLEY, 2d Dis't, Washtenaw Co.

O. CLARK, 4th Dis't, Washtenaw Co.

NEWTON SHELDON, 3d Dis't, Washtenaw Co.

BELA COGSHALL, 2d Dis't, Oakland Co.

J. Q. MCKERNAN, 1st Dis't, Houghton Co.

J. A. T. WENDELL, Mackinaw Co.

THOS. W. HARRIS, 1st Dis't, Wayne Co.

The joint resolution, reported by the committee on federal relations, which reads as follows:

**JOINT RESOLUTION**, ratifying the proposed amendment to the Constitution of the United States.

*Whereas*, The Congress of the United States, after solemn and mature deliberation therein, has, by a vote of two-thirds of both Houses, passed "a joint resolution, submitting to the Legislatures of the several States a proposition to amend the Constitution of the United States," which resolution is in the following words:

*Be it resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, (two-thirds of both Houses concurring,)* That the following amendment to the Constitution of the United States, be submitted to the Legislatures of the several States, and when ratified by three-fourths thereof, it shall be a part of said Constitution:

ARTICLE XV.

Section 1. The right of the citizens of the United States to vote, shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude.

Sec. 2. The Congress shall have power to enforce this article by appropriate legislation.

*Resolved, by the Senate and House of Representatives of the State of Michigan*, That, in the name and in behalf of the people of this State, we do hereby ratify, approve, and assent to said amendments.

*Resolved*, That a copy of this assent and ratification be en-

grossed on parchment and transmitted by His Excellency, the Governor, to the United States in Congress assembled, and that he transmit a like copy to the Secretary of State of the United States,

Was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Avery,	Mr. Holt,	Mr. Rowson,
Barnaby,	Horton,	Sanford,
Baxter,	Hunt,	Shaw,
Beall,	Hurlbut,	Shier,
Blake,	Huston,	Sickels,
Bostwick,	Hutchinson,	Slayton,
Boynton,	Ingersoll,	Smith,
G. G. Briggs,	Jewell,	Snell,
Brownell,	Lane,	Stannard,
Cameron,	Lovell,	Stockbridge,
B. Clark,	Mandigo,	Swift,
Crane,	Mason,	Thompson,
Crossman,	McCowen,	Vowles,
Curry,	Miller,	Wagner,
Davis,	Millington,	Walker,
Doty,	Mitchell,	Walton,
Eck,	Murray,	Ward,
Elliott,	Newman,	Westover,
Fenner,	Norton,	H. G. Williams,
Fuller,	Osborn,	J. A. Williams,
Gifford,	Plimpton,	Yawkey,
Goodrich,	Putnam,	Speaker,
Hartson,	Rhford,	

68

## NAYS.

Mr. R. V. Briggs,	Mr. Klein,	Mr. Stewart,
O. Clark,	Lee,	Ternes,
Cogshall,	McKernan,	Weier,
Eaton,	Miles,	Wendell,
Harris,	Purcell,	White,
Hubbard,	Riopelle,	Wilcox,
F. G. Kendrick,	Romeyn,	W. D. Williams,
Kingsley,	Sheldon,	Woodard,

24

Pending the announcement of the vote,

Mr. Westover moved that Mr. Yawkey be excused from voting;

Which motion did not prevail.



Mr. Yawkey then voted as recorded above.

The title and preamble were agreed to.

By the committee on State affairs:

The committee on State affairs, to whom was referred a

Joint resolution relative to the distribution of the laws, journals, documents and joint documents of the session of the Legislature of 1869,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to authorize conductors of railroad corporations, while in charge of passenger trains, to perform the duties of special policemen for the arrest of criminals and other offenders,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Joint resolution to authorize the Governor to convey certain State lands to Henry A. Shaw, of Eaton county, as the grantee of Daniel I. Spencer,

Respectfully report that they have had the same under con-

sideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Joint resolution granting block No. 137, in the city of Lansing, to the city of Lansing for a public park,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was recommitted House bill No. 160, being

A bill to incorporate the village of Portsmouth,

Together with five petitions and remonstrances for and against the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

DAN'L L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

The petitions were laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 61, entitled

A bill to amend an act entitled "An act to incorporate the city of East Saginaw," approved Feb. 15, 1859, as amended by act No. 56, of the session laws of 1861, approved Feb. 12, 1861, and act No. 79, of the session laws of 1865, approved March 1, 1865, and act No. 391, of the session laws of 1867, approved March 22, 1867,

Together with a remonstrance of the board of supervisors of Saginaw county, against the passage of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

DAN'L L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Yawkey,

The rules were suspended, and the bill was placed on the order of third reading.

The remonstrance was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 83, entitled

A bill to amend section 7, of act No. 180, of the session laws of 1865, entitled "an act to incorporate the village of Otsego," approved March 15, 1865,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

DAN'L L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of Spring Lake, in the county of Ottawa;

Also, the petition of certain residents of Spring Lake, asking the passage of the same;

And the remonstrance of certain others against its passage,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

D. L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Norton,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Norton,

The rules were suspended, and the bill was placed on the order of third reading.

The petition and remonstrance were laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to revise and amend an act entitled "An act to revise and amend an act, entitled an act to incorporate the city of Bay City," approved March 21, 1865, being act No. 348, of the session laws of 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do

pass, and ask to be discharged from the further consideration of the subject.

D. L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Westover,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on education:

The committee on education, to whom was referred

A bill to amend section one, of act No. 186, of the session laws of 1867, entitled "An act to authorize dissection in certain cases, for the advancement of science;"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

A bill to amend act No. 260, of the session laws of 1865, being an act to organize union school district of the City of Saginaw,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

A bill to authorize the school board of fractional school district No. 1, of the townships of Paw Paw and Antwerp, to convey real estate,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. G. G. Briggs,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

A bill to amend act No. 210, of the session laws of 1867, being an act to authorize school district No. 8, of Antwerp and Porter, in the county of Van Buren, to issue bonds to build a school-house,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to amend act No. 210, of the session laws of 1867, being an act entitled an act to authorize fractional school district No. 8, of the townships of Antwerp and Porter, in the county of Van Buren, to organize a graded school, and to pledge the credit of said school district for the purpose of building a union school-house,

Recommending that the substitute do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hurlbut,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to prevent animals from trespassing,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to prevent animals from trespassing,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

Mr. Norton moved that the House concur in the adoption of the substitute reported by the committee.

Mr. Cameron moved to amend the substitute so that it should read as follows:

"That when any person shall own or occupy land bounded in whole or in part by a navigable stream, such owner or occupant shall be required to erect and maintain a lawful fence, so as to prevent animals from trespassing or doing damage by passing from said lands to adjoining or other lands, and on failure so to erect and maintain said fence, the owner or occupant shall be liable for the damage or trespass aforesaid, to be recovered in an action of trespass, in any court of competent jurisdiction."

On motion of Mr. W. D. Williams,

The substitute and amendment were referred to the committee on public lands.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to organize the township of Colfax, in the county of Mecosta,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to divide the township of Bertrand, and create a new township, to be called the township of Dayton, and provide for election of township officers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to detach certain lands from the county of Shiawassee, and to attach the same to the county of Clinton,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.



On motion of Mr. Ward,  
The bill was laid on the table.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to detach certain townships from the county of Wayne,  
and organize a new county therefrom,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. G. G. Briggs,

The bill was laid on the table.

By the committee on fisheries:

The committee on fisheries, to whom was referred

A bill for the preservation and protection of fish in the waters  
of the State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

J. A. T. WENDELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Stockbridge,

The bill was laid on the table.

By the committee on fisheries:

The committee on fisheries, to whom was referred House bill  
No. 49, being

A bill to amend an act entitled "An act to prevent fishing with seines and every kind of continuous nets, in the waters of the counties of Branch, Livingston, Cass, St. Joseph, Kent, Ionia, Genesee, Calhoun and Macomb," approved March 9, 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. A. T. WENDELL, *Chairman.*

Report accepted and committee discharged.

Mr. Brownell moved that the House concur in the amendment made to the bill by the committee.

Which motion did not prevail.

On motion of Mr. Wilcox,

The bill was recommitted to the committee on fisheries.

By the committee on fisheries:

The committee on fisheries, to whom was referred

A bill to prevent the obstruction of the free passage of fish along streams and inland rivers by the interposition of wier dams, fish wiers or wier nets,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. A. T. WENDELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on fisheries:

The committee on fisheries, to whom was referred

A bill to amend act No. 350, of the session laws of 1865, entitled "An act to protect fish, and preserve the fisheries of this State," approved March 21, 1865, by adding two sections to stand as sections ten and eleven of said act,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

J. A. T. WENDELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to lay out and establish a State swamp land road in Allegan county, and asking for an appropriation of swamp land for the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred Senate bill No. 41, entitled

A bill to provide for the construction of a road from Port Austin, in Huron county, to Unionville, in Tuscola county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to amend section 3, of act 345, of the session laws of 1865, being an act to provide for the drainage and reclamation of swamp lands by means of a State road and ditches, in Tuscola and Bay counties,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill entitled "A bill to amend the charter of the city of Grand Rapids, and to add three new sections thereto, to stand as sections 43, 44 and 45;"

Also: remonstrances of Rev. C. C. Miller, Hon. V. W. Cankin, Hon. W. H. Taylor, Hon. Foster Tucker, Hon. A. M. Elsworth, John L. Clements, S. M. Garfield, Lucas J. Robinson, Henry C. Dennison, John S. Fox and 1,382 others, citizens of Kent county, against increasing the representation of the city of Grand Rapids on the board of supervisors of said Kent county, from five to fifteen,

Respectfully report that they have had the same under consideration, and have unanimously directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass. The amendment proposed is to strike from the bill section 3, which provides that in addition to one supervisor from each of the five wards of the city of Grand Rapids, acting as members of the board of supervisors of said Kent county; the second alderman from each of said wards shall also be members of said board of supervisors, with

the same pay and powers as other members, thus giving the city a representation of fifteen, instead of five, on said board.

The Legislative delegation from Kent county, after a full and very pleasant discussion of the matter, have unanimously requested this committee to recommend the above amendment, for reasons which it is unnecessary to state at length in this report, the main one being the impossibility of agreeing upon the bill as presented to the House.

Your committee therefore ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. H. G. Williams,

The House concurred in the amendment reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By unanimous consent, Mr. Crossman moved to take from the table, House bill No. 13, entitled

A bill to authorize the trustees of the Methodist Episcopal Church of Dansville, Ingham county, to sell and convey certain real estate;

Which motion prevailed.

On motion of Mr. Crossman,

The bill was referred to the committee on public lands.

Mr. Plimpton moved to discharge the committee of the whole from the further consideration of House manuscript bill entitled

A bill to divide the township of Bertrand, and to organize a new township to be called the township of Dayton;

Which motion prevailed.

On motion of Mr. Plimpton,

The bill was placed on the order of third reading.

Mr. Miles moved to discharge the committee of the whole from the further consideration of House manuscript joint resolution, entitled

Joint resolution granting block 137, in the city of Lansing, to the city of Lansing, for a public park;

Which motion prevailed.

On motion of Mr. Miles,

The joint resolution was placed on the order of third reading;

#### MESSAGES FROM THE SENATE

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, March 4, 1869. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 55, entitled

A bill to amend sections 1 and 2, of act number 174, of the session laws of 1867, being "an act supplementary to an act to authorize the formation of corporations for mining, smelting, or manufacturing iron, copper, mineral coal, silver, or other ores or minerals, and for other manufacturing purposes," approved February 15, 1853,

And to inform the House that the Senate has adopted the accompanying substitute therefor,

In the passage of which, as thus substituted, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. McKernan moved that the House concur in the substitute adopted for the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

#### YEAS.

Mr. Avery,  
Barnaby,  
Baxter,  
Beall,  
Blake,

Mr. Holt,  
Horton,  
Hunt,  
Hurlbut,  
Huston,

Mr. Riopelle,  
Romeyn,  
Sanford,  
Shaw,  
Sheldon,

Bostwick,	Hutchinson,	Shier,
G. G. Briggs,	Ingersoll,	Sickels,
R. V. Briggs,	Jewell,	Slayton,
Brownell,	Kingsley,	Smith,
Cameron,	Klein,	Snell,
B. Clark,	Lane,	Stannard,
O. Clark,	Lee,	Stockbridge,
Cogshall,	Lovell,	Ternes,
Crane,	Mandigo,	Thompson,
Crossman,	McOwen,	Vowles,
Curry,	McKernan,	Wagner,
Davis,	Miles,	Walker,
Doty,	Miller,	Walton,
Eaton,	Millington,	Weier,
Eck,	Mitchell,	Westover,
Elliott,	Murray,	White,
Fenner,	Newman,	Wilcox,
Fuller,	Norton,	H. G. Williams,
Gifford,	Osborn,	J. A. Williams,
Goodrich,	Plimpton,	W. D. Williams,
Harris,	Putnam,	Speaker,
Hartson,		

79.

## NAYS.

0.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 4, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 121, entitled

A bill to repeal act No. 186, of the session laws of 1861, entitled "An act to amend act number two hundred, of the session laws of eighteen hundred and fifty-nine, being an act to encourage the manufacture of salt in the State of Michigan," approved Feb. 15, 1859, approved March 15, 1861;

2. Senate bill No. 122, entitled

A bill to organize the township of Gladwin;

3. Senate bill No. 124, entitled

A bill to amend sections 71, 94, 95, 97 and 151, of an act to revise the charter of the city of Ypsilanti, approved March 17, 1865, being act 214, of the laws of 1865, and to add a new section, to stand as section 212;

4. Senate bill No. 126, entitled

A bill to authorize school district number three, fractional, of the township of Girard, in the county of Branch, to issue bonds for the purpose of building a school-house,

Which have passed the Senate, by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on salines.

The second named bill was read a first and second time by its title, and referred to the committee on towns and counties.

The third named bill was read a first and second time by its title, and

On motion of Mr. Shier,

The rules were suspended, and the bill was placed on the order of third reading.

The fourth named bill was read a first and second time by its title, and referred to the committee on education.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 4, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved, (the House concurring,) That the action of the House of Representatives of the Congress of the United States, on Monday last, January 18th, in declaring by resolution, "That in the present state of the national finances, no further*



subsidies ought to be given by Congress, either in bonds or money, to railroads or other corporations, to promote local enterprises, but the whole resources of the country ought to be applied to the pressing necessities of the public service, in such a manner as will relieve the people from the burdens of taxation," meets with our cordial and hearty assent.

*Resolved*, That in the opinion of this Legislature, no public lands should hereafter be given in aid of railroads, except on condition of sale to actual settlers, in quantities not greater than 160 acres to any one purchaser, at a price to be fixed by law, and this should be the future policy of Congress with reference to such grants.

*Resolved*, That His Excellency, the Governor, be requested to transmit copies of the foregoing to each of our Senators and Representatives in Congress;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. G. G. Briggs moved that the House concur in the adoption of the concurrent resolution.

On motion of Mr. Miles,

The resolution was referred to the committee on internal improvements.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, March 4, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate manuscript bill, entitled

A bill to amend section 24 of an act entitled "An act to revise the charter of the city of St. Clair," approved March 18, 1863;

2. Senate bill No. 82, entitled

A bill to amend sections 3, 4, 6, 10, 13, 16, 21, 52, 53, 54, 95, 99, 110, 111, 112, 113, 114, 115, 126, 129 and 130, of an act entitled, an act to revise the charter of the city of Adrian, approved March 21, 1865;

3. Senate bill No. 88, entitled

A bill to amend act No. 233, of the session laws of 1861, being an act entitled "An act to facilitate the commencement of suits against joint defendants residing in several counties," approved March 15th, 1861;

4. Senate bill No. 111, entitled

A bill to amend an act entitled "An act to incorporate the village of Whitehall," approved March 19th, 1867;

5. Senate bill No. 112, entitled

A bill to amend an act, entitled "an act to authorize the formation of gas-light companies," approved February 12, 1865;

6. Senate bill No. 113, entitled

A bill to authorize and provide for replatting the village of Napoleon, in the county of Jackson, and adding to the plat certain parts of section thirty-six, town three south, range one east, and a part of section thirty-one, town three south, range two east; also, a part of section six, town four south, range two east;

7. Senate bill No. 118, entitled

A bill to authorize the public schools of the city of Adrian to borrow money and issue bonds, for the purpose of constructing a central school building;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and

On motion of Mr. Huston,

The rules were suspended, and the bill was placed on the order of third reading.

The second, fourth, fifth and sixth named bills were read a first and second time by their titles, and referred to the committee on banks and incorporations.

The third named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The seventh named bill was read a first and second time by its title, and referred to the committee on education:

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 4, 1869. }

*To the Speaker of the House of Representatives:*

Sir—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 115, entitled

A bill to protect females from insult;

2. Senate bill No. 120, entitled

A bill relative to an attorney or solicitor's fee, stipulated to be paid in a real estate mortgage;

3. Senate bill No. 125, entitled

A bill to organize the township of Oscoda, in Iosco county;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on State affairs.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The third named bill was read a first and second time by its title, and referred to the committee on towns and counties.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 4, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 60, entitled

A bill to incorporate the village of Augusta, in the county of Kalamazoo,

In the passage of which the Senate has concurred, by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,  
*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 4, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House manuscript bill, entitled

A bill to amend act No. 397, of the session laws of 1867, entitled "An act to amend act No. 301, of the session laws of 1865, being an act entitled an act to regulate the tolls on plank roads in Bay, Clinton, Gratiot and Saginaw counties," by adding thereto a new section, to be known as section 2 of said act;

And to inform the House that the Senate has adopted the accompanying substitute therefor:

In the passage of which, as thus substituted, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,  
*Secretary of the Senate.*

Mr. Curry moved that the House concur in the substitute adopted for the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

## YEAS.

Mr. Avery,	Mr. Hunt,	Mr. Plimpton,
Barnaby,	Hurlbut,	Purcell,
Baxter,	Huston,	Putnam,
Blake,	Hutchinson,	Riopelle;
Bostwick,	Jewell,	Romeyn,
R. V. Briggs,	F. G. Kendrick,	Rowlson,
Brownell,	Kingsley,	Shaw,
Cameron,	Klein,	Sheldon,
B. Clark,	Lane,	Slayton;
Cogshall,	Lee,	Snell,
Crane,	Lovell,	Stockbridge,
Crossman,	Mason,	Thompson,
Curry,	McCowen,	Wagner,
Davis,	McKernan,	Walton,
Eaton,	Miles,	Weier,
Eck,	Miller,	White,
Fuller,	Millington,	Wilcox,
Gifford,	Mitchell,	H. G. Williams,
Goodrich,	Murray,	J. A. Williams,
Harris,	Newman,	W. D. Williams,
Hartson,	Norton,	Yawkey,
Holt,	Osborn,	Speaker,
Horton,		67

## NAYS.

Mr. O. Clark,	Mr. Vowles,	Mr. Woodard,
Elliott,	Westover,	5

On motion of Mr. Curry,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 4, 1869. }

To the Speaker of the House of Representatives:

Sir—I am instructed by the Senate to transmit the following bill:

Senate bill No. 123, entitled

A bill to amend an act entitled "An act to set off and incorporate a portion of the townships of Grand Haven and Spring Lake, in the county of Ottawa, into a city by the name of the city of Grand Haven," approved March 16, 1867;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take effect from and after the 1st day of April next, and in all of which, the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

#### THIRD READING OF BILLS.

House bill No. 75, entitled

A bill to repeal act No. 426, of the session laws of 1867, entitled "an act to incorporate the public schools of the village of Hudson," approved March 25th, A. D. 1867,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Avery,	Mr. Horton,	Mr. Riopelle,
Barnaby,	Hunt,	Romeyn,
Baxter,	Hurlbut,	Rowlson,
Beall,	Huston,	Shaw,
Blake,	Hutchinson,	Slayton,
Bostwick,	Ingersoll,	Smith,
R. V. Briggs,	F. G. Kendrick,	Snell,
Cameron,	Kingsley,	Stockbridge,
B. Clark,	Klein,	Thompson,
O. Clark,	Lane,	Vowles,
Cogshall,	Lee,	Wagner,
Crane,	Lovell,	Walker,
Curry,	Mason,	Walton,
Davis,	McCowan,	Weier,
Doty,	McKernan,	Westover,
Eaton,	Millington,	White,
Eck,	Mitchell,	Wilcox,

Elliott,	Murray,	H. G. Williams,
Fenner,	Norton,	J. A. Williams,
Fuller,	Osborn,	W. D. Williams,
Gifford,	Plimpton,	Woodard,
Goodrich,	Purcell,	Yawkey,
Harris,	Putnam,	Speaker,
Holt,		

70

NAYS.

0

Title agreed to.

On motion of Mr. Rowlson,

By a vote of two-thirds of all the members elect, the bill was ordered to take effect on and after the 1st day of May next.

House manuscript bill, entitled

A bill to divide the township of Bertrand, county of Berrien, and to organize a new township, to be called the township of Dayton,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Huston moved that the bill be recommitted to the committee on towns and counties,

Which motion was withdrawn.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Avery,	Mr. Hunt,	Mr. Purcell,
Barnaby,	Hurlbut,	Putnam,
Baxter,	Huston,	Riopelle,
Beall,	Hutchinson,	Romeyn,
Blake,	Ingersoll,	Rowlson,
Bostwick,	Jewell,	Shaw,
R. V. Briggs,	F. G. Kendrick,	Sheldon,
Cameron,	Kingsley,	Shier,
B. Clark,	Klein,	Slayton,
O. Clark,	Lane,	Smith,
Cogshall,	Lee,	Snell,
Crane,	Lovell,	Stockbridge,
Crossman,	Mason,	Vowles,
Curry,	McCowen,	Wagner,
Davis,	McKernan,	Walker,
Doty,	Miles,	Walton,
Eck,	Miller,	Ward,
Elliott,	Millington,	Westover,

Fenner,	Mitchell,	Wilcox,
Fuller,	Murray,	J. A. Williams,
Gifford,	Newman,	W. D. Williams,
Goodrich,	Norton,	Woodard,
Harris,	Osborn,	Yawkey,
Holt,	Plimpton,	Speaker,
Horton,		

73

NAYS.

0

Title agreed to.

On motion of Mr. Plimpton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 61, entitled

A bill to amend an act entitled "An act to incorporate the city of East Saginaw," approved February 15th, 1859, as amended by act No. 56 of the session laws of 1861, approved February 20th, 1861, and act No. 79 of the session laws of 1865, approved March 1st, 1865, and act No. 391, of the session laws of 1867, approved March 22d, 1867,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Avery,	Mr. Horton,	Mr. Putnam,
Barnaby,	Hunt,	Romeyn,
Baxter,	Hurlbut,	Rowlson,
Beall,	Huston,	Shaw,
Blake,	Hutchinson,	Sheldon,
Bostwick,	Ingersoll,	Shier,
R. V. Briggs,	Jewell,	Sickels,
Brownell,	F. G. Kendrick,	Slayton,
Cameron,	Kingsley,	Smith,
B. Clark,	Klein,	Snell,
O. Clark,	Lane,	Stannard,
Cogshall,	Lee,	Stewart,
Crane,	Lovell,	Stockbridge,
Crossman,	Mason,	Vowles,
Curry,	McCowen,	Walker,
Davis,	Miles,	Walton,
Doty,	Miller,	Ward,
Eck,	Millington,	Westover,
Elliott,	Mitchell,	Wilcox,
Fenner,	Murray,	J. A. Williams,



Fuller,	Newman,	W. D. Williams,	
Gifford,	Norton,	Woodard,	
Goodrich,	Osborn,	Yawkey,	
Harris,	Plimpton,	Speaker,	
Holt,	Parcell,		74
	NAYS.		0

Title agreed to.

On motion of Mr. Yawkey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to incorporate the village of Spring Lake,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Barnaby,	Mr. Hunt,	Mr. Putnam,
Baxter,	Hurlbut,	Riopelle,
Beall,	Huston,	Romeyn,
Blake,	Hutchinson,	Rowlson,
Bostwick,	Ingersoll,	Shaw,
G. G. Briggs,	Jewell,	Sheldon,
R. V. Briggs,	F. G. Kendrick,	Shier,
Brownell,	Kingsley,	Sickels,
Cameron,	Klein,	Slayton,
B. Clark,	Lane,	Smith,
O. Clark,	Lee,	Stannard,
Cogshall,	Lovell,	Stewart,
Crane,	Mason,	Stockbridge,
Crossman,	McCowen,	Thompson,
Curry,	McKernan,	Vowles,
Davis,	Miles,	Walker,
Doty,	Miller,	Walton,
Eck,	Millington,	Ward,
Fenner,	Murray,	Westover,
Fuller,	Newman,	J. A. Williams,
Gifford,	Norton,	W. D. Williams,
Goodrich,	Osborn,	Woodard,
Harris,	Plimpton,	Yawkey,
Holt,	Parcell,	Speaker,
Horton,		

NAYS.

- 73

0

Title agreed to.

On motion of Mr. Norton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to revise and amend an act entitled "An act to revise and amend an act entitled an act to incorporate the city of Bay City, approved March 21, 1865," being act No. 348 of the session laws of this State, for the year 1867,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Barnaby,	Mr. Hurlbut,	Mr. Romeyn,
Baxter,	Huston,	Rowlson,
Beall,	Hutchinson,	Sanford,
Blake,	Ingersoll,	Sheldon,
Bostwick,	Jewell,	Shier,
G. G. Briggs,	F. G. Kendrick,	Sickels,
R. V. Briggs,	Kingsley,	Slayton,
Brownell,	Klein,	Smith,
Cameron,	Lane,	Stannard,
B. Clark,	Lee,	Stewart,
O. Clark,	Lovell,	Stockbridge,
Cogshall,	Mason,	Ternes,
Crane,	McCowen,	Thompson,
Crossman,	McKernan,	Vowles,
Curry,	Miles,	Walker,
Davis,	Miller,	Walton,
Doty,	Millington,	Ward,
Eck,	Murray,	Westover,
Fenner,	Newman,	Wilcox,
Gifford,	Norton,	H. G. Williams,
Goodrich,	Osbern,	J. A. Williams,
Harris,	Plimpton,	W. D. Williams,
Holt,	Purcell,	Woodard,
Horton,	Putnam,	Yawkey,
Hunt,	Riopelle,	Speaker, 75

#### NAYS.

Mr. Elliott,

1

Title agreed to.

On motion of Mr. Westover,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript joint resolution, entitled

Joint resolution granting block No. 137, city of Lansing, to the city of Lansing for a public park,

Was read a third time and passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Barnaby,	Mr. Hant,	Mr. Riopelle,
Baxter,	Hurlbut,	Romeyn,
Beall,	Huston,	Rowlson,
Blake,	Hutchinson,	Sanford,
Bostwick,	Ingersoll,	Shaw,
G. G. Briggs,	Jewell,	Sheldon,
R. V. Briggs,	F. G. Kendrick,	Shier,
Brownell,	Kingsley,	Sickels,
Cameron,	Klein,	Slayton,
B. Clark,	Lane,	Smith,
O. Clark,	Lee,	Snell,
Cogshall,	Lovell,	Stannard,
Crane,	Mandigo,	Stewart,
Crossman,	Mason,	Stockbridge,
Curry,	McCowen,	Ternes,
Davis,	McKernan,	Thompson,
Doty,	Miles,	Walton,
Eck,	Miller,	Ward,
Elliott,	Millington,	Westover,
Fenner,	Murray,	Wilcox,
Fuller,	Newman,	J. A. Williams,
Gifford,	Norton,	W. D. Williams,
Goodrich,	Osborn,	Woodard,
Harris,	Plimpton,	Yawkey,
Hartson,	Purcell,	Speaker,
Holt,	Putnam,	

77

## NAYS.

Mr. Horton,

1

Title and preamble agreed to.

On motion of Mr. Baxter,

The rule requiring the second and third reading of bills to be on different days, was suspended, and the other bills on the order of third reading were put upon their passage.

Senate bill No. 124, entitled

A bill to amend sections 71, 94, 95, 97 and 151, of an act to revise the charter of the city of Ypsilanti, approved March 17,

1865, being act 214, of the laws of 1865, and to add a new section to stand as section 212.

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Barnaby,	Mr. Horton,	Mr. Purcell,
Baxter,	Hunt,	Putnam,
Beall,	Hurlbut,	Romeyn,
Blake,	Huston,	Rowlson,
Bostwick,	Hutchinson,	Shaw,
G. G. Briggs,	Ingersoll,	Sheldon,
R. V. Briggs,	Jewell,	Shier,
Brownell,	F. G. Kendrick,	Sickels,
Cameron,	Kingsley,	Slayton,
B. Clark,	Klein,	Smith,
O. Clark,	Lane,	Snell,
Cogshall,	Lee,	Stannard,
Crane,	Lovell,	Stewart,
Crossman,	Mandigo,	Stockbridge,
Curry,	Mason,	Ternes,
Davis,	McCowen,	Thompson,
Eck,	McKernan,	Wagner
Elliott,	Miles,	Walton,
Fenner,	Miller,	Ward,
Fuller,	Millington,	Westover,
Gifford,	Murray,	Wilcox,
Goodrich,	Newman,	J. A. Williams,
Harris,	Norton,	W. D. Williams,
Hartson,	Osborn,	Yawkey,
Holt,	Plimpton,	Speaker, 75

## NAYS.

Mr. Woodard, 1

Title agreed to.

On motion of Mr. Sheir,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to amend section 24 of an act entitled "An act to revise the charter of the city of St. Clair," approved March 18, 1863,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Barnaby,	Mr. Horton,	Mr. Riopelle,
Baxter,	Hunt,	Romeyn,
Beall,	Hurlbut,	Shaw,
Blake,	Huston,	Sheldon,
Bostwick,	Hutchinson,	Shier,
G. G. Briggs,	Ingersoll,	Sickels,
R. V. Briggs,	Jewell,	Slayton,
Brownell,	F. G. Kendrick,	Smith,
Cameron,	Kingsley,	Snell,
B. Clark,	Klein,	Stannard,
O. Clark,	Lane,	Stewart,
Cogshall,	Lee,	Stockbridge,
Crane,	Lovell,	Ternes,
Curry,	Mandigo,	Thompson,
Davis,	Mason,	Wagner,
Eck,	McCowan,	Walton,
Elliott,	Miles,	Ward,
Fenner,	Miller,	Westover,
Fuller,	Millington,	Wilcox,
Gifford,	Murray,	J. A. Williams,
Goodrich,	Norton,	W. D. Williams,
Harris,	Osborn,	Woodard,
Hartson,	Purcell,	Speaker,
Holt,	Putnam,	

71

## NAYS.

0

Title agreed to.

On motion of Mr. Miles,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

## MESSAGES FROM THE SENATE.

By unanimous consent, the Speaker announced the following:

SENATE CHAMBER, }  
Lansing, March 5, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved*, (the House concurring,) That the Governor be authorized and requested to employ some competent mechanic to visit the Asylum for the Deaf and Dumb, and the Blind, and ascertain and report to the Governor, forthwith, the cost of finishing said Asylum, and putting it in a condition for use.

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

On motion of Mr. Harris,

The House concurred in the adoption of the resolution.

Mr. Miller moved to discharge the committee of the whole from the further consideration of House bill No. 115, entitled

A bill to revise and continue in force, an act entitled "an act to charter the village of New Baltimore," approved March 23, 1867, and to amend sections 1 and 2 of said act;

Which motion prevailed.

On motion of Mr. Miller,

The bill was placed on its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Miller moved to amend by striking out in lines 2 and 3, of section 3, the words "first Monday in May," and inserting "second Monday in April," in lieu thereof;

Also, by striking out in lines 12 and 17, of section 3, the word "February" where it occurs, and inserting "March," in lieu thereof;

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Avery,	Mr. Holt,	Mr. Riopelle,
Barnaby,	Hunt,	Romeyn,
Baxter,	Harbut,	Rowson,
Beall,	Huston,	Shaw,
Blake,	Hutchinson,	Sheldon,
Bostwick,	Ingersoll,	Sickels,
G. G. Briggs,	Jewell,	Stayton,
R. V. Briggs,	F. G. Kendrick,	Smith,
Brownell,	Kingsley,	Stannard,
Cameron,	Klein,	Stewart,
B. Clark,	Lane,	Stockbridge,
O. Clark,	Lee,	Turnes,

Cogshall,	Lovell,	Thompson,
Crane,	Mandigo,	Vowles,
Curry,	Mason,	Wagner,
Davis,	McCowen,	Walton,
Doty,	McKernan,	Ward,
Eck,	Miller,	Westover,
Elliott,	Millington,	Wilcox,
Fenner,	Murray,	J. A. Williams,
Fuller,	Newman,	W. D. Williams,
Gifford,	Norton,	Woodard,
Goodrich,	Osborn,	Yawkey,
Harris,	Purcell,	Speaker.
Hartson,	Putnam,	
	NAYS.	74
		0

Pending the announcement of the vote,

Mr. J. A. Williams moved that Mr. Ward be excused from voting;

Which motion did not prevail.

Mr. Ward then voted as recorded above.

Title agreed to.

On motion of Mr. Miller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Wilcox moved to discharge the committee of the whole from the further consideration of Senate bill, No. 62, entitled  
A bill to incorporate the village of Orion;

Which motion prevailed.

On motion of Mr. Wilcox,

The bill was placed on the order of third reading.

Mr. Westover moved to discharge the committee of the whole from the further consideration of House bill No. 160, entitled

A bill to incorporate the village of Portsmouth;

Which motion prevailed.

On motion of Mr. Westover,

The bill was placed on the order of third reading.

Mr. Westover moved to discharge the committee of the whole from the further consideration of House bill No. 117, entitled

A bill to amend an act entitled "An act to organize union school district of Bay City;"

Which motion prevailed.

On motion of Mr. Westover,

The bill was placed on the order of third reading.

Mr. Romeyn moved to discharge the committee of the whole from the further consideration of House bill No. 154, entitled

A bill to enable married women to bar their right of dower.

Which motion did not prevail.

Mr. Baxter moved to discharge the committee of the whole from the further consideration of House bill No. 130, entitled

A bill to provide for the draining of swamps, marshes and other low lands,

Which motion prevailed.

On motion of Mr. Baxter,

The bill was recommitted to the committee on drainage.

Mr. Baxter moved to discharge the committee of the whole from the further consideration of Senate bill No. 64, entitled

A bill to provide for free schools, and to amend sections 2264, 2267, 2272, 2275, 2301, 2323, 2350 and 2384, of the compiled laws, being sections 21, 24, 29, 32, 58, 80 and 107, of chapter 78, of the revised statutes of 1846, and section 1 of an act entitled an act to amend the revised statutes, relative to the support of primary schools and the custody of the township libraries, approved April 2, 1850, and to repeal sections 2276, 2277, 2278, 2283, 2285, 2286, 2287, 2288, 2289, 2290 and 2381, of the compiled laws;

Which motion prevailed.

On motion of Mr. Baxter,

The bill was recommitted to the committee on education.

On motion of Mr. Brownell,

The House took a recess until this afternoon at 2 o'clock.

---

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.



The House resumed business under the order of

MOTIONS AND RESOLUTIONS.

Mr. G. G. Briggs moved to discharge the committee of the whole from the further consideration of Senate bill No. 65, entitled

A bill to legalize the organization of union school district number one, of Wyoming and Georgetown, in the counties of Kent and Ottawa, in the State of Michigan;

Which motion prevailed.

On motion of Mr. G. G. Briggs,

The bill was placed on its immediate passage.

Mr. Baxter moved that there be a call of the House;

Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members were reported absent without leave:

Messrs. Cameron, Crossman, Davis, Eaton, Hubbard, Hurlbut, Klein, Mason, McCowan, Murray, Osborn, Plimpton, Riford, Rowson, and Swift.

Mr. Gifford asked and obtained leave of absence for Mr. Plimpton, for the day.

Mr. Goodrich asked and obtained leave of absence for Mr. Hubbard, until Thursday morning.

Mr. Plimpton asked and obtained leave of absence for Mr. Riford, until Tuesday next.

Mr. Kingsley asked and obtained leave of absence for Mr. Swift, for the day.

Mr. Baxter moved that all further proceedings under the call be dispensed with;

Which motion did not prevail.

On motion of Mr. Miles,

The Sergeant-at-Arms was dispatched for the absentees.

The Sergeant-at-Arms announced Mr. Rowson at the bar of the House.

On motion of Mr. Yawkey,

Mr. Rowlson was admitted within the bar of the House, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Cameron at the bar of the House.

On motion of Mr. Miles,

Mr. Cameron was admitted within the bar of the House, rendered an excuse and took his seat.

The Sergeant-at-Arms announced Mr. Murray at the bar of the House.

On motion of Mr. Boynton,

Mr. Murray was admitted within the bar of the House, rendered an excuse and took his seat.

On motion of Mr. Ingersoll,

All further proceedings under the call were dispensed with.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Avery,	Mr. Huston,	Mr. Shier,
Barnaby,	Hutchinson,	Sickels,
Baxter,	Ingersoll,	Slayton,
Beall,	Jewell,	Smith,
Blake,	F. G. Kendrick,	Snell,
Bostwick,	Kingsley,	Stannard,
Boynton,	Klein,	Stewart,
G. G. Briggs,	Lane,	Stockbridge,
Brownell,	Lee,	Ternes,
B. Clark,	Lovell,	Thompson,
O. Clark,	Mandigo,	Vowles,
Cogshall,	McKernan,	Wagner,
Crane,	Miles,	Walker,
Curry,	Miller,	Walton,
Davis,	Millington,	Ward,
Doty,	Mitchell,	Wendell,
Eck,	Murray,	Westover,
Fenner,	Newman,	Wilcox,
Fuller,	Purcell,	H. G. Williams,
Gifford,	Riopelle,	J. A. Williams,
Goodrich,	Romeyn,	W. D. Williams,
Hartson,	Rowlson,	Woodard,
Holt,	Sanford,	Yawkey,

Horton,  
Hunt,

Shaw,  
Sheldon,

Speaker,

74

# NAYS.

Mr. R. V. Briggs,  
Cameron,

Mr. Putnam,  
Weier,

Mr. White,

5

Title agreed to.

On motion of Mr. G. G. Briggs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Westover moved to discharge the committee of the whole from the further consideration of House bill No. 184, entitled  
A bill to revise the charter of the village of Wenona.

Which motion prevailed.

On motion of Mr. Westover,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

# YEAS.

Mr. Avery,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
Boynton,  
G. G. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Coghall,  
Crane,  
Curry,  
Davis,  
Doty,  
Eck,  
Elliott,  
Fenner,  
Fuller,  
Gifford,

Mr. Hutchinson,  
Ingersoll,  
Jewell,  
F. G. Kendriak,  
Kingsley,  
Klein,  
Lane,  
Lee,  
Lovell,  
Mandigo,  
Mason,  
McCowen,  
McKernan,  
Miles,  
Miller,  
Millington,  
Mitchell,  
Murray,  
Newman,  
Norton,  
Osborn,  
Purcell,

Mr. Sheldon,  
Shier,  
Sickels,  
Slayton,  
Smith,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Ternes,  
Thompson,  
Vowles,  
Wagner,  
Walker,  
Walton,  
Ward,  
Weier,  
Wendell,  
Westover,  
White,  
Wilcox,  
H. G. Williams,

Goodrich,	Putnam,	J. A. Williams,
Hartson,	Riopelle,	W. D. Williams,
Holt,	Rowlson,	Woodard,
Horton,	Sanford,	Yawkey,
Hunt,	Shaw,	Speaker,
Huston,		

82

## NAYS.

Mr. R. V. Briggs,

1

Title agreed to.

On motion of Mr. H. G. Williams,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Blake moved to discharge the committee of the whole from the further consideration of House manuscript bill, entitled

A bill to authorize the city of Grand Haven to aid the Detroit and Milwaukee Railroad company to extend the line of their road across Grand river, from Ferrysburg into the city of Grand Haven, and to change the location of their depot at Grand Haven from the west to the east side of Grand river;

Which motion prevailed.

On motion of Mr. Blake,

The bill was placed on its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Blake moved to amend by inserting after the word "as," in line 6, section 1, the words "a two-thirds majority of ;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Avery,	Mr. Huston,	Mr. Sheldon,
Barnaby,	Hutchinson,	Shier,
Baxter,	Ingersoll,	Sickels,
Beall,	Jewell,	Slayton,
Blake,	F. G. Kendrick,	Smith,
Bostwick,	Kingsley,	Snell,
Boynton,	Klein,	Stannard,
G. G. Briggs,	Lane,	Stewart,

R. V. Briggs,	Lee,	Stockbridge,
Brownell,	Lovell,	Ternes,
Cameron,	Mandigo,	Thompson,
B. Clark,	Mason,	Vowles,
O. Clark,	McCowen,	Wagner,
Cogshall,	McKernan,	Walker,
Crane,	Miles,	Walton,
Curry,	Miller,	Ward,
Davis,	Millington,	Weier,
Doty,	Murray,	Wendell,
Eck,	Newman,	Westover,
Elliott,	Norton,	White,
Fenner,	Osborn,	Wilcox,
Fuller,	Purcell,	H. G. Williams,
Gifford,	Riopelle,	J. A. Williams,
Goodrich,	Romeyn,	W. D. Williams,
Hartson,	Rowlson,	Woodard,
Holt,	Sanford,	Yawkey,
Horton,	Shaw,	Speaker,
Hunt,		

82

NAYS.

0

Title agreed to.

On motion of Mr. Blake,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Smith moved to take from the table House manuscript bill, entitled

A bill to legalize the action of a special township meeting of the township of Onondaga, Ingham county, held February 6, 1869, in locating the site of a bridge across Grand river, in said township;

Which motion prevailed.

On motion of Mr. Smith,

The bill was recommitted to the committee on roads and bridges.

Mr. H. G. Williams moved to discharge the committee of the whole from the further consideration of House bill No. 124, entitled

A bill for the encouragement of immigration;

Which motion prevailed.

On motion of Mr. Klein,

The bill was recommitted to the committee on immigration.

Mr. Crane moved to discharge the committee of the whole from the further consideration of House bill No. 116, entitled

A bill to legalize the tax rolls of the townships of Raisin, Ridgeway, Riga, Palmyra, Dover, Rollin, Franklin and Adrian, in Lenawee county, for the year 1866, and the proceedings of the board of supervisors and of the drainage commissioners of said county of Lenawee, pertaining thereto;

Which motion prevailed.

On motion of Mr. Baxter,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Avery,  
Barnaby,  
Baxter,  
Beall,  
Bostwick,  
Boynton,  
G. G. Briggs,  
Cameron,  
B. Clark,  
O. Clark,  
Crane,  
Curry,  
Davis,  
Doty,  
Eck,  
Elliott,  
Fenner,  
Fuller,  
Gifford,  
Goodrich,  
Hartson,  
Holt,  
Horton,  
Hunt,

Mr. Hutchinson,  
Ingersoll,  
Jewell,  
Kingsley,  
Klein,  
Lane,  
Lee,  
Mandigo,  
Mason,  
McKernan,  
Miller,  
Millington,  
Mitchell,  
Murray,  
Newman,  
Norton,  
Osborn,  
Purcell,  
Riopelle,  
Rowlson,  
Sanford,  
Shaw,  
Sheldon,  
Shier,

Mr. Sickels,  
Slayton,  
Smith,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Ternes,  
Thompson,  
Vowles,  
Wagner,  
Walker,  
Walton,  
Ward,  
Weier,  
Wendell,  
Westover,  
Wilcox,  
H. G. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker,

## NAYS.

Mr. R. V. Briggs,	Mr. Lovell,	Mr. Romeyn,
Cogshall,	Putnam,	White,
F. G. Kendrick,		

7

Title agreed to.

On motion of Mr. Baxter,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. O. Clark moved to discharge the committee of the whole from the further consideration of Senate bill No. 67, entitled

A bill to amend section 14, of an act entitled "An act to incorporate the village of Dexter;"

Which motion prevailed.

On motion of Mr. O. Clark,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Avery,	Mr. Ingersoll,	Mr. Sheldon,
Barnaby,	Jewell,	Shier,
Baxter,	F. G. Kendrick,	Sickels,
Beall,	Kingsley,	Slayton,
Bostwick,	Klein,	Smith,
G. G. Briggs,	Lane,	Snell,
R. V. Briggs,	Lee,	Stannard,
Brownell,	Lovell,	Stewart,
Cameron,	Mandigo,	Stockbridge,
B. Clark,	Mason,	Ternes,
O. Clark,	McCowen,	Thompson,
Cogshall,	McKernan,	Vowles,
Crane,	Miles,	Wagner,
Crossman,	Miller,	Walker,
Curry,	Millington,	Walton,
Davis,	Mitchell,	Ward,
Doty,	Murray,	Weier,
Eck,	Newman,	Wendell,
Elliott,	Norton,	Westover,
Fenner,	Osborn,	White,
Fuller,	Purcell,	Wilcox,
Gifford,	Putnam,	H. G. Williams,
Goodrich,	Riopelle,	J. A. Williams,

Hartson,  
Holt,  
Horton,  
Hunt,  
Huston,

Romeyn,  
Rowlson,  
Sanford,  
Shaw,

W. D. Williams,  
Woodard,  
Yawkey,  
Speaker,

82

NAYS.

0

Mr. Slayton moved to amend the title by adding to the end thereof, "approved February 12, 1855;"

Which motion prevailed.

The title as amended, was agreed to.

On motion of Mr. O. Clark,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Klein offered the following:

*Resolved*, That the committee on supplies and expenditures be and they are hereby instructed to purchase a sufficient number of Geil's revised map of Michigan, of 1869, to furnish one to each member and officer of this House, provided they can be obtained at a cost not exceeding 40 cents per copy;

Which was not adopted.

Mr. Mason moved to discharge the committee on federal relations from the further consideration of House joint resolution No. 15, entitled

Joint resolution for the relief of Hiram Ransom,

Which motion did not prevail.

#### UNFINISHED BUSINESS,

Being the consideration of the following concurrent resolution:

*Whereas*, In the opinion of this body, females should have the same advantages for education that males enjoy;

*And whereas*, The most economical and efficient course should be pursued to secure to them these advantages; therefore,

*Resolved*, (the Senate concurring,) That the Regents of the Michigan State University be and they are hereby requested to admit females into that institution, with the same privileges for study, in any of its departments, and the same opportunities for honors, that are allowed to males.



Mr. Avery offered the following substitute for the resolution:

*Whereas*, The Legislature of 1867 declared as its "deliberate opinion that the high objects for which the University of Michigan was organized, will never be fully attained until women are admitted to all its rights and privileges;"

*And whereas*, There is a general and growing feeling throughout the State in favor of furnishing to the young women of the State all the advantages for education furnished to young men;

*And whereas*, The President of the University declares as his belief that the best method for Michigan, in furtherance of this object, would be to make provision for the instruction of women at the University on the same conditions as men; therefore be it

*Resolved*, (the Senate concurring,) That the Board of Regents be requested to take such action as may be necessary to carry into effect this recommendation of the President of the University, as soon as practicable, without prejudice to the best interests of the same;

Which was adopted.

The question being upon the adoption of the resolution as amended by the substitute,

Mr. Slayton demanded the yeas and nays.

The demand was seconded, and the resolution was adopted, by yeas and nays as follows:

#### YEAS.

Mr. Avery,	Mr. Holt,	Mr. Rowson,
Barnaby,	Horton,	Shaw,
Baxter,	Hurlbut,	Sheldon,
Beall,	Ingersoll,	Slayton,
Boynnton,	Jewell,	Stannard,
G. G. Briggs,	F. G. Kendrick,	Stockbridge,
Brownell,	Kingsley,	Vowles,
Cameron,	Lane,	Wagner,
O. Clark,	Lee,	Walker,
Cogshall,	Mandigo,	Walton,
Crane,	McCowen,	Ward,
Curry,	McKernan,	Weier,
Davis,	Miles,	Westover,

Eaton,	Miller,	White,
Eck,	Millington,	Wilcox,
Elliott,	Mitchell,	H. G. Williams,
Fenner,	Murray,	J. A. Williams,
Gifford,	Newman,	W. D. Williams,
Goodrich,	Norton,	Woodard,
Harris,	Osborn,	Speaker,
Hartson,	Purcell,	

62

## NAYS.

Mr. Bostwick,	Mr. Lovell,	Mr. Sickels,
R. V. Briggs,	Mason,	Smith,
B. Clark,	Putnam,	Snell,
Crossman,	Riopelle,	Stewart,
Doty,	Romeyn,	Ternes,
Fuller,	Sanford,	Thompson,
Hunt,	Shier,	Yawkey,
Hutchinson,		

22

Pending the announcement of the vote,

Mr. Baxter moved that Mr. Miles be excused from voting;

Which motion did not prevail.

Mr. Miles then voted as recorded above.

Pending the announcement of the vote,

Mr. Purcell moved that Mr. Riopelle be excused from voting;

Which motion did not prevail.

Mr. Riopelle then voted as recorded above.

Pending the announcement of the vote,

Mr. Murray moved that Mr. Sanford be excused from voting;

Which motion did not prevail.

Mr. Sanford then voted as recorded above.

Pending the announcement of the vote,

Mr. Avery moved that Mr. Bostwick be excused from voting;

Which motion did not prevail.

Mr. Bostwick then voted as recorded above.

## MESSAGE FROM THE SENATE.

By unanimous consent, the Speaker announced the following:

SENATE CHAMBER, }  
Lansing, March 5th, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following joint resolution:

House manuscript joint resolution, entitled

Joint resolution ratifying the proposed amendment to the constitution of the United States,

And to inform the House that the Senate has adopted the accompanying substitute therefor.

In the passage of which, as thus substituted, the Senate has concurred, by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Ingersoll moved that the House concur in the substitute adopted for the joint resolution by the Senate.

Mr. Miles moved to amend, by striking out in line two of the preamble the words "solemn and;"

Which motion did not prevail.

The House then concurred in the adoption of the substitute, by yeas and nays, as follows:

# YEAS.

Mr. Avery,	Mr. Holt,	Mr. Sanford,
Barnaby,	Horton,	Shaw,
Baxter,	Hunt,	Shier,
Beall,	Hurlbut,	Sickels,
Bostwick,	Huston,	Slayton,
Boynton,	Hutchinson,	Smith,
G. G. Briggs,	Ingersoll,	Snell,
Brownell,	Jewell,	Stannard,
Cameron,	Lane,	Stockbridge,
B. Clark,	Lovell,	Swift,
Crane,	Mason,	Thompson,
Crossman,	McCowan,	Vowles,
Curry,	Miller,	Wagner,
Davis,	Millington,	Walker,
Doty,	Mitchell,	Walton,
Eck,	Murray,	Ward,
Elliott,	Newman,	Westover,
Fenner,	Norton,	H. G. Williams,
Fuller,	Osborn,	J. A. Williams,
Gifford,	Putnan,	Yawkey,
Goodrich,	Rowlson,	Speaker,
Hartson,		

## NAYS.

Mr. R. V. Briggs,	Mr. Lee,	Mr. Stewart,
O. Clark,	McKernan,	Ternes,
Cogshall,	Miles,	Weier,
Eaton,	Purcell,	White,
Harris,	Riopelle,	Wilcox,
Kingsley,	Romeyn,	W. D. Williams,
Klein,	Sheldon,	20

The joint resolution was then referred to the committee on engrossment and enrollment, for enrollment.

## SPECIAL ORDER.

On motion of Mr. Mason,

The House went into committee of the whole, on the special order,

Mr. Millington in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 25, entitled

A bill to establish an institution of learning, to be called the Michigan female college;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, without recommendation.

C. R. MILLINGTON, *Chairman*.

Report accepted and committee discharged.

Mr. Brownell moved that the bill be laid on the table.

Mr. J. A. Williams demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows:

## YEAS.

Mr. Beall,	Mr. Hurlbut,	Mr. Sheldon,
Boynton,	F. G. Kendrick,	Stannard,
G. G. Briggs,	Kingsley,	Stewart,
Brownell,	Klein,	Stockbridge,
B. Clark,	Lane,	Vowles,
O. Clark,	Lovell,	Wagner,
Cogshall,	McCowen,	Walker,

Curry,	Millington,	Walton,
Eck,	Mitchell,	Weier,
Elliott,	Norton,	White,
Fenner,	Osborn,	Wilcox,
Gifford,	Parcell,	H. G. Williams,
Goodrich,	Putnam,	Speaker,
Hartson,	Rowlson,	41

## NAYS.

Mr. Barnaby,	Mr. Hunt,	Mr. Shaw,
Baxter,	Huston,	Sickels,
Bostwick,	Hutchinson,	Slayton,
Cameron,	Ingersoll,	Snell,
Crane,	Lee,	Swift,
Crossman,	Mason,	Thompson,
Doty,	McKernan,	Ward,
Eaton,	Miles,	Westover,
Fuller,	Newman,	J. A. Williams,
Harris,	Riopelle,	Woodard,
Holt,	Sanford,	Yawkey,
Horton,		34

## GENERAL ORDER.

On motion of Mr. Baxter,

The House went into committee of the whole, on the general order,

Mr. Ingersoll in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

Senate manuscript bill, entitled

A bill to extend the time for the collection of certain drain taxes in the township of Summerfield, in the county of Monroe;

Have instructed their chairman to report the same back to the House without recommendation.

The committee of the whole have also had under consideration the following entitled bill:

House bill No. 100, entitled

A bill to amend sections 66, 69, 72, 73, 76, 77, 78, 80, 81, 83, 88, 89, 90, 91, 93, 95, 96, 98, 99, 103, 106, 135, and to repeal

sections 67, 70, 74, 75, 79, 82, 87, 94, 97, 100, 101, 104, 105, 107, 108, 109, 110, 111, 112, 113, 114, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 136, 137, 145, 154, of chapter 17, of compiled laws, the same being an act regulating the assessment and collection of taxes;

Have directed their chairman to report the same back to the House with the recommendation that it be referred to the committee on ways and means.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baxter,

The first named bill was placed on the order of third reading.

On motion of Mr. Crossman;

The recommendation of the committee was concurred in on the second named bill, and the bill was referred to the committee on ways and means.

On motion of Mr. G. G. Briggs,

The House adjourned until to-morrow morning at 9 o'clock.

---

*Lansing, Saturday, March 6, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Bryant.

Roll called: quorum present.

Absent without leave: Messrs. Avery, Gifford, Goodrich, L. Kendrick, Mason, Sickles, Stannard and Walker.

Mr. Blake asked and obtained leave of absence for himself until Tuesday morning.

Mr. B. Clark asked and obtained leave of absence for himself until Tuesday morning.

Mr. Hutchinson asked and obtained leave of absence for Mr. Goodrich, for an indefinite time, on account of sickness.

Mr. Millington asked and obtained leave of absence for Mr. Sickels, until Tuesday morning.

Mr. Murray asked and obtained leave of absence for Mr. Stannard, until Tuesday morning.

Mr. R. B. Smith asked and obtained leave of absence for Mr. Avery, until Tuesday morning.

Mr. R. V. Briggs asked and obtained leave of absence for himself, until Tuesday morning.

Mr. Brownell asked and obtained leave of absence for Mr. L. Kendrick, for an indefinite time, on account of sickness.

Mr. Rowson asked and obtained leave of absence for himself, until Tuesday morning.

Mr. Klein asked and obtained leave of absence for himself, for an indefinite time, on account of sickness.

Mr. Lovell asked and obtained leave of absence for Mr. Walker, for an indefinite time, on account of sickness.

Mr. Westover asked and obtained leave of absence for himself, until Tuesday morning.

#### PRESENTATION OF PETITIONS.

By Mr. McKernan: memorial of Capt. Thos. Buzze and 136 others, asking that the Upper Peninsula be ceded to the General Government;

Also: memorial of B. A. Andrews and 49 others, citizens of Houghton county, for the same purpose.

Referred to the committee on federal relations.

By Mr. McKernan: remonstrance of R. Sheldon and 209 others, citizens of Houghton county, against the organization of the county of L'Anse.

Referred to the committee on towns and counties.

By Mr. Ingersoll: petition of the First National Bank of Corunna, for refunding certain taxes illegally imposed.

Referred to the committee on ways and means.

By Mr. Slayton: petition of James W. Norton, cashier of the Lowell National bank, Michigan, asking the State to refund specific taxes paid into the State treasury under act No. 122 of the laws of 1867;

Referred to the committee on ways and means.

By Mr. Yawkey: petition of James F. Brown and Douglas

Hoyt, relative to the tax on National Banks, asking the refunding of the same;

Referred to the committee on ways and means.

By Mr. Osborn: petition of G. W. Rice and 48 others, asking that the Agricultural College and its fund be connected with the University, and that further taxation and appropriation for the Agricultural College, as a separate institution, be discontinued;

Also: petition of Jas. B. Pratt and 48 others, for the same purpose;

Referred to the committee on agricultural college.

By Mr. G. G. Briggs: petition of the City National Bank, of Grand Rapids, for refunding certain taxes illegally imposed.

On motion of Mr. G. G. Briggs,

The petition was referred to the committee on ways and means, and was ordered printed in the journal.

The following is the petition:

GRAND RAPIDS, Mich., March 4, 1869.

*To the Honorable the Senate and House of Representatives:*

The City National Bank of Grand Rapids respectfully represents that it has, during the years 1867 and 1868, fully paid the specific tax of one per cent. per annum on its capital stock, imposed by act No. 122 of the laws of 1867; that the act has been declared by the Supreme Court unconstitutional, and that hence the tax was illegally imposed; that many of the banks paid none, or but a small part of said tax, and that justice and equity require that the amount so illegally paid be refunded.

Your petitioners, therefore, respectfully request that the amount of said tax illegally imposed on and paid by this bank, may be refunded.

THOS. D. GILBERT,

*Pres't City National Bank of Grand Rapids.*

REPORTS OF STANDING COMMITTEES.

By the committee on education:

The committee on education, to whom was referred Senate bill No. 126, being



A bill to authorize school district No. 3, fractional, of the township of Girard, in the county of Branch, to issue bonds for the purpose of building a school-house,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred Senate bill No. 118, being

A bill to authorize the public schools of the city of Adrian to borrow money and issue bonds for the purpose of constructing a central school building,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

A bill to legalize the action of the school inspectors of the township of Marathon, in the county of Lapeer, in organizing school district No. 6, in said township,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred Senate bill No. 64, entitled

A bill to provide for free schools, and to amend sections 2264, 2267, 2272, 2275, 2301, 2323, 2350 and 2384, of the compiled laws, being sections 21, 24, 29, 32, 58, 80 and 107, of chapter 78, of the revised statutes of 1846, and section 1 of an act entitled an act to amend the revised statutes, relative to the support of primary schools and the custody of the township libraries, approved April 2, 1850, and to repeal sections 2276, 2277, 2278, 2283, 2285, 2286, 2287, 2288, 2289, 2290 and 2381, of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. H. G. Williams,

The House concurred in the amendment made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to confirm to the Grand Rapids and Indiana railroad company certain lands granted to said corporation in aid of the construction of its road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baxter,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for the laying out and establishing a State road from Harrisville, in Alcona county, to intersect the Midland, Houghton Lake and Traverse City road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to provide for the laying out and establishing a State road from Harrisville, in Alcona county, to intersect the Midland, Houghton Lake and Traverse City road,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. McCowen,

The House concurred in the adoption of the substitute reported by the committee.

Mr. Huston moved that the rules be suspended, and that the bill be placed on the order of third reading;

Which motion did not prevail.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on agriculture:

The committee on agriculture, to whom was referred

A bill to restrain the running at large of fowls and animals not usually restrainable by ordinary fence inclosures,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass and ask to be discharged from the further consideration of the subject.

ENOS T. LOVELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred Senate bill No. 122, entitled

A bill to organize the township of Gladwin,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Beall,

The House concurred in the amendment made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred Senate bill No. 125, entitled

A bill to organize the township of Oscoda, in the county of Iosco,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the

House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman*:

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to repeal act No. 4, of the session laws of 1865, entitled "An act to provide for the improvement of the Saginaw river, and to authorize the county of Saginaw to loan money in aid thereof, and to provide for the paying over and disposal of the funds and property in the hands of the dredging commissioners of Saginaw county;"

Also: certain resolutions of the board of supervisors of Saginaw county in relation to the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to repeal act No. 4, of the session laws of 1865, entitled "An act to provide for the improvement of the Saginaw river, and to authorize the county of Saginaw to loan money in aid thereof, and to provide for the paying over and disposal of the funds and property in the hands of the dredging commissioners of Saginaw county,"

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Yawkey,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on salines:

The committee on salines, to whom was referred Senate bill No. 121, entitled

A bill to repeal act No. 186, of the session laws of 1861, entitled "An act to amend act No. 200, of the session laws of 1859, being an act to encourage the manufacture of salt in the State of Michigan," approved Feb. 15, 1859; approved March 15, 1861;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

SAMUEL W. YAWKEY, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 29, entitled

A bill to declare and establish the practice in charging or instructing juries, and in settling the law in cases tried in circuit courts,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Acting Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 4342, of the compiled laws, as amended by act approved March 11, 1861,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend an act entitled an act to amend an act entitled an act to incorporate the village of Tecumseh, approved February 9, 1859,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baxter,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend and revise an act entitled "an act to incorporate the city of Holland," approved March 25, 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it be

printed, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Miles,

The House concurred in the recommendations of the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend section 1 of an act entitled "An act to revise the charter of the city of Adrian," approved March 21, 1865;

Also: numberless petitions, remonstrances, letters and maps, in regard to the extension of the limits of said city,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. G. G. Briggs,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

The petitions and remonstrances were laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of Benton Harbor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to



the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

DAN'L L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend an act entitled "An act to revise and amend the charter of the city of Saginaw, approved February 5, 1859, as amended in session laws of 1863, 1865 and 1867,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

DAN'L L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baxter,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Lane,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on lumber interests:

The committee on lumber interests, to whom was referred

A bill to enable the Rifle River and Wigwam Boom Company to improve the navigation of said river,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to enable the Rifle River and Wigwam Boom Company to improve the navigation of said river;

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

G. H. FENNER, *Chairman*.

Report accepted and committee discharged.

Mr. Yawkey moved that the House concur in the adoption of the substitute reported by the committee.

On motion of Mr. Westover,

The substitute was laid on the table.

By the committee on ways and means:

The committee on ways and means, to whom was referred the memorial of George M. Dewey, in relation to the claim of the State against the said George M. Dewey;

Also: a joint resolution, entitled

Joint resolution in relation to the claim of the State against E. H. Hazelton & Co.,

Respectfully report that they have had the same under consideration, and have directed me to report the joint resolution back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the joint resolution, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Horton,

The House concurred in the amendment made to the joint resolution by the committee.

The joint resolution was then ordered printed, referred to the committee of the whole, and placed on the general order.

The memorial was laid on the table.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, March 5, 1869. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following joint resolution:

House joint resolution No. 6, entitled

Joint resolution for the relief of Theron Ford;

Which the Senate amended by adding at the end of the resolution the words, "upon the payment into the State treasury by Theron Ford of two-thirds, and by Wm. H. Haze of one-third, of the original valuation of lot 1, block 83 aforesaid, and interest from the date of the first tax deed from the State, of said lot;"

And which amendment the House amended by adding at the end thereof the following:

"*Provided*, That neither said Theron Ford, Wm. H. Haze, nor any other person, shall have any claim upon this State for money paid for taxes or for tax titles, on said lot 1, block 83."

And to inform the House that the Senate has concurred in said amendment.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

On motion of Mr. Sanford,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

The joint resolution was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, March 5, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following concurrent resolution:

*Resolved*, (the Senate concurring,) That the Hon. Z. R. Brockway, of Detroit, be and he is hereby respectfully invited to deliver a lecture before this Legislature, in the Hall of the House of Representatives, at his earliest convenience, on the subject of reform in prison discipline, and in the general system of our penal institutions.

*Resolved*, That the Clerk of the House, and the Secretary of

the Senate, be instructed to transmit a copy of these resolutions, duly certified, to Mr. Brockway;

In the passage of which the Senate has concurred.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The message was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 4, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 48, entitled

A bill to provide for laying out and establishing a State road in Kent and Ionia counties, and opening the same,

And to inform the House that the Senate does not concur in its passage.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. R. B. Smith moved that the bill be laid on the table;

Which motion did not prevail.

On motion of Mr. Slayton,

The bill was referred to the committee on roads and bridges.

#### THIRD READING OF BILLS.

Senate bill No. 62, entitled

A bill to incorporate the village of Orion,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Slayton moved that the bill be laid on the table;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Baxter,	Mr. Ingersoll,	Mr. Sanford,
Beall,	Jewell,	Shaw,
Bostwick,	Kingsley,	Sheldon,
G. G. Briggs,	Klein,	Shier,
R. V. Briggs,	Lane,	Smith,
Brownell,	Lee,	Snell,
Cameron,	Lovell,	Stewart,
O. Clark,	Mandigo,	Swift,
Cogshall,	McCowen,	Thompson,
Crane,	McKernan,	Vowles,
Crossman,	Miles,	Wagner,
Curry,	Miller,	Walton,
Doty,	Millington,	Weier,
Eaton,	Mitchell,	Wendell,
Eck,	Murray,	Westover,
Fuller,	Newman,	White,
Harris,	Norton,	Wilcox,
Hartson,	Osborn,	H. G. Williams,
Holt,	Plimpton,	J. A. Williams,
Horton,	Purcell,	W. D. Williams,
Hunt,	Putnam,	Woodard,
Hurlbut,	Riopelle,	Yawkey,
Huston,	Romeyn,	Speaker,
Hutchinson,		

70

## NAYS.

0

Title agreed to.

On motion of Mr. Baxter,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 160, entitled

A bill to incorporate the village of Portsmouth,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Baxter,	Mr. Hutchinson,	Mr. Sanford,
Beall,	Ingersoll,	Shaw,
Bostwick,	Jewell,	Sheldon,
G. G. Briggs,	Kingsley,	Shier,
R. V. Briggs,	Klein,	Smith,
Brownell,	Lane,	Snell,
Cameron,	Lee,	Stewart,
O. Clark,	Lovell,	Swift,

Cogshall,	Mandigo,	Ternes,
Crane,	McCowen,	Thompson,
Crossman,	McKernan,	Vowles,
Curry,	Miles,	Wagner,
Davis,	Miller,	Walton,
Doty,	Millington,	Weier,
Eaton,	Mitchell,	Wendell,
Eck,	Murray,	Westover,
Elliott,	Newman,	White,
Fenner,	Norton,	Wilcox,
Fuller,	Osborn,	H. G. Williams,
Harris,	Plimpton,	J. A. Williams,
Hartson,	Purcell,	W. D. Williams,
Holt,	Putnam,	Woodard,
Horton,	Riopelle,	Yawkey,
Hunt,	Romeyn,	Speaker,
Hurlbut,		

73

NAYS.

0

Title agreed to.

On motion of Mr. Westover,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 117, entitled

A bill to amend an act entitled "An act to organize union school district of Bay City,"

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Westover offered the following as a substitute therefor:

**A BILL** to amend an act entitled "An act to organize union school district of Bay City."

**SECTION 1.** *The People of the State of Michigan enact, That sections 2, 3, 4, 5, 6, 7, 10, 11, 17 and 19 of an act entitled "An act to organize union school district of Bay City," approved March 20th, 1867, be and the same are hereby amended so that said sections shall be and read, respectively, as follows:*

**Sec. 2. (1.)** The board of education of said district shall consist of one member from each ward in said city, to be chosen at a ward district school meeting, to be held at the central ward school-house in each ward, (or in case of wards which may be

destitute of a school-house, said meeting shall be held in such place as may be designated by the board of education,) on the first Monday in September in each year in which such member may be required to be chosen; and every person of the age of 21 years, who has property liable to assessment for school taxes in said union school district, and has been a resident in said district three months, and in the said ward ten days, preceding any district or ward district meeting shall be a qualified voter in said meeting, and eligible to election as a member of said board.

(2.) Notice shall be given of all district or ward district school meetings, by the secretary of said board, at least ten days previous to such meeting, by posting printed notices in at least ten of the most public places in each ward, and by publication in one or more newspapers in said city, which shall specify the day, hour, and place of such meeting: *Provided*, That no such district or ward district school meeting shall be deemed illegal for want of such notice, unless it shall appear that the omission to give such notice was willful and fraudulent.

(3.) Each ward district school meeting, when assembled, pursuant to previous notice, shall appoint a chairman and clerk of such meeting, and the meeting so organized shall proceed to elect, by ballot, a member of the board of education of said union school district of Bay City, who shall serve until his successor is elected and qualified.

(4.) The term of office for which said members shall be elected shall be as follows, viz: At the first election to be held under this act, on the first Monday in September, 1869, the members from the first and second wards shall be elected to serve for one year; the members from the third and fourth wards shall be elected to serve for two years; and the member from the fifth ward shall be elected to serve for three years. In case of the addition of a sixth ward, the term of office of the member to be elected therefrom shall be the same and expire with the term of the member from the fifth ward, and at the expiration of their several terms of office, their successors shall be

electd in their several wards for the full term of three years, or until their successors are elected and qualified; and it shall not be necessary for said wards to hold a ward district meeting, except on the expiration of the term of office of said member, for the purpose of electing his successor.

Sec. 3. (1.) Within ten days after the annual election in 1869, as above specified, the members so elected from the several wards shall assemble at the office of the secretary of the board, and file with him the certificate of their election, signed by the chairman and clerk of said ward district school meeting, with their acceptance of the office indorsed thereon, a record of which shall be made by said secretary.

(2.) The said board of education, three members of whom shall constitute a quorum, shall then proceed to elect one of their own number president, for the term of one year, and in case of the absence of said president at any meeting, they may choose one of their own number president *pro tem*.

Sec. 4. The superintendent of the public schools of said city shall be the secretary of the board, and in case of his absence, said board may appoint a secretary *pro tem*.

Sec. 5. (1.) The said board shall have power to fill, by appointment, any vacancy that shall occur (by resignation or otherwise), in their own number, from the ward in which the vacancy shall occur, and it shall be their duty to fill such vacancy within ten days after its occurrence: *Provided*, That in case said board shall from any cause fail to fill such vacancy within the time specified, the same may be filled by an election at a special ward district school meeting called for that purpose, as provided in section two of this act, and such appointment or election shall be for the unexpired term of the late incumbent.

(2.) The members of the present board of education shall hold their office until their successors are elected and qualified as prescribed in sections two and three of this act; and within ten days after the day on which this act shall take effect, said board shall meet, and proceed to elect one of their own number



president, and said board shall be, in all things, governed by the provisions of this act.

Sec. 6. The treasurer of said city shall be the treasurer of said board, and shall keep all moneys belonging to said district separate from the moneys belonging to the corporation of said city, and he shall not pay out nor expend the school money without the authority of said board: *Provided, however,* That said board may appoint some other person as treasurer, and in such case, the treasurer so appointed shall perform the duties of his office in accordance with this section so far as the same shall be applicable, and the treasurer of said city shall pay over on demand to the person so appointed, all moneys or other property in his hands belonging to said union school district.

Sec. 7. The board of education shall succeed to and exercise all the powers and perform all the duties of school inspectors for said city, and the office of school inspector is hereby abolished except as vested in and executed by said board. The proceedings of each meeting of said board, and of the ward district, or general district school meetings, shall be published in one or more newspapers of said city, as soon thereafter as possible.

Sec. 10. The treasurer shall, before entering upon the duties of his office under this act, execute to the district a bond in double the amount of moneys to come into his hands as such treasurer during the year, as near as can be ascertained, with two or more good and sufficient sureties, to be approved by said board, conditioned for the faithful performance of the duties of his office, and the proper application of the funds that shall come into his hands by virtue thereof. Such bond shall be lodged with the Secretary of said board, and in case of any breach of the condition thereof, the board shall cause a suit to be commenced thereon in the name of "Union School District of Bay City," and the money, when collected, shall be paid into the treasury of said district, subject to the order of the proper officers of said district.

Sec. 11. The said board shall, annually, at the close of each school year, or as soon thereafter as may be, publish, or cause to be published, a statement of the number of schools of the various grades in said city, the number of pupils instructed therein, and a full and complete statement of all receipts and expenditures made during the year preceding, the amount of indebtedness, if any, together with such other facts and statements, as may enable the public to judge of the success and prosperity of the public schools of said city.

Sec. 17. (1.) Any member of said board of education who shall, during his term of office, remove from the said city, shall, by such removal, vacate his office; and any member may be removed for cause, by a vote of a majority of said board. Any member absenting himself from the regular meeting of said board for three meetings in succession, unless good cause is shown therefor, shall be deemed to have vacated his office, and the said board may in such case appoint some suitable person from the ward to which said member belonged to fill such vacancy, in accordance with section five of this act.

(2.) The recorder's court of said city shall have jurisdiction of all suits wherein the said board may be a party, and of all prosecutions for violations of the by-laws or rules and regulations of said board of education.

Sec. 19. All acts or parts of acts, so far as they relate to Bay City, which are inconsistent with the provisions of this act, are hereby repealed;

Which was adopted.

The bill, as amended by the adoption of the substitute, was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Baxter,	Mr. Hutchinson,	Mr. Romeyn,
Beall,	Ingersoll,	Sanford,
Bostwick,	Jewell,	Shaw,
Boynton,	F. G. Kendrick,	Sheldon,
G. G. Briggs,	Kingsley,	Shier,
R. V. Briggs,	Klein,	Smith,

Brownell,	Lane,	Snell,
Cameron,	Lee,	Stockbridge,
O. Clark,	Lovell,	Swift,
Cogshall,	Mandigo,	Ternes,
Crane,	McCowen,	Thompson,
Curry,	McKernan,	Vowles,
Davis,	Miles,	Wagner,
Doty,	Miller,	Walton,
Eaton,	Millington,	Wendell,
Eck,	Mitchell,	Westover,
Elliott,	Murray,	White,
Fenner,	Newman,	Wilcox,
Fuller,	Norton,	H. G. Williams,
Hartson,	Osborn,	J. A. Williams,
Holt,	Plimpton,	W. D. Williams,
Horton,	Purcell,	Woodard,
Hunt,	Putnam,	Yawkey,
Hurlbut,	Riopelle,	Speaker,
Huston,		

73

## NAYS.

Mr. Harris, Mr. Stewart, Mr. Weier, 3

Title agreed to.

Mr. Purcell moved that the vote by which the bill was passed be reconsidered.

On motion of Mr. Cogshall,

The motion to reconsider was laid on the table.

On motion of Mr. Westover,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate manuscript bill, entitled

A bill to extend the time for the collection of certain drain taxes in the township of Sunfield, in the county of Monroe,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Woodward,

The bill was laid on the table.

House manuscript bill, entitled

A bill to amend an act entitled an act to revise and amend the charter of the city of Saginaw, approved February 5, 1859, as amended in 1863, 1865 and 1867,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Baxter,	Mr. Hutchinson,	Mr. Sanford,
Bostwick,	Ingersoll,	Shaw,
Boynton,	Jewell,	Shier,
G. G. Briggs,	F. G. Kendrick,	Smith,
R. V. Briggs,	Kingsley,	Snell,
Brownell,	Klein,	Stewart,
Cameron,	Lane,	Stockbridge,
O. Clark,	Lee,	Swift,
Cogshall,	Lovell,	Ternes,
Crossman,	McCowan,	Thompson,
Curry,	McKernan,	Vowles,
Davis,	Miles,	Wagner,
Doty,	Miller,	Walton,
Eaton,	Millington,	Weier,
Eck,	Mitchell,	Wendell,
Elliott,	Murray,	Westover,
Fenner,	Newman,	White,
Fuller,	Norton,	Wilcox,
Harris,	Osborn,	H. G. Williams,
Hartson,	Plimpton,	J. A. Williams,
Holt,	Purcell,	W. D. Williams,
Horton,	Putnam,	Woodard,
Hunt,	Riopelle,	Yawkey,
Hurlbut,	Romeyn,	Speaker,
Huston,		

73

## NAYS.

0

Mr. Lane moved to amend the title by striking out "in 1863, 1865 and 1867," and inserting in lieu thereof "by act No. 39, of the session laws of 1863, and by act No. 122, of the session laws of 1865, and by act No. 496, of the session laws of 1867;"

Which motion prevailed.

The title, as amended, was agreed to.

On motion of Mr. Baxter,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

## MOTIONS AND RESOLUTIONS.

Mr. Huston offered the following:

*Resolved*, That the Quartermaster General of this State be re-

quested to inform this House whether from present calculation it appears that the quota of this State, of the first 300,000 of the 500,000 call of February 1st, 1864, was filled on the 5th day of February, 1864, in case the credits at large, together with local credits and the credits of veterans reenlisting in the field, of this State prior to that date, had then been properly and fully applied.

Mr. Plimpton moved to refer the resolution to the committee on military affairs;

Which motion did not prevail.

The resolution was then adopted.

Mr. Shaw moved to discharge the committee of the whole from the further consideration of Senate bill No. 118, entitled

A bill to authorize the public schools of the city of Adrian to borrow money and issue bonds, for the purpose of constructing a central school building;

Which motion prevailed.

On motion of Mr. Baxter,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Baxter,	Mr. Huston,	Mr. Riopelle,
Bostwick,	Hutchinson,	Romeyn,
Boynton,	Ingersoll,	Shaw,
G. G. Briggs,	Jewell,	Sheldon,
R. V. Briggs,	F. G. Kendrick,	Shier,
Brownell,	Kingsley,	Smith,
Cameron,	Klein,	Snell,
O. Clark,	Lane,	Stewart,
Cogshall,	Lee,	Stockbridge,
Crossman,	Lovell,	Swift,
Curry,	McCowen,	Ternes,
Davis,	McKernan,	Thompson,
Doty,	Miles,	Vowles,
Eck,	Miller,	Wagner,
Elliott,	Millington,	Walton,
Feuner,	Mitchell,	Weier,
Fuller,	Murray,	White,

Harria,  
Hartson,  
Holt,  
Horton,  
Hunt,  
Hurlbut,

Newman,  
Norton,  
Osborn,  
Plimpton,  
Purcell,  
Putnam,

H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Yawkey,  
Speaker,

68

NAYS.

0

Title agreed to.

On motion of Mr. Baxter,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Miles offered the following:

*Resolved*, That the committee on ways and means be and the same are hereby requested to incorporate and adopt into any general tax-bill which they may prepare and submit to this House, the following general provisions:

1. A provision for a return by the Auditor General to the treasurer of each county, a list of all unpaid tax lands in such county, on or before the first day of July next, together with the amount of taxes due upon each description of land.

2. A provision that all lands in each county, upon which taxes shall remain unpaid, to be returned to the county treasurer by the several town, city or ward collectors of the county.

3. A provision that all lands upon which taxes shall remain unpaid up to the first day of July of each year, shall be advertised, sold, and conveyed, by the proper officers, and in the name of the county, instead of being sold and conveyed by the Auditor General, with all the necessary provisos to effect such change.

4. A provision for the payment of all non-resident taxes to the proper county treasurer, and to no other party.

Mr. Ingersoll moved that the resolution be laid upon the table;

Which motion did not prevail.

On motion of Mr. Cameron,

The resolution was referred to the committee on ways and means.

Mr. Lee offered the following:

*Resolved*, ( the Senate concurring,) That from and after Tuesday, the 23d day of March, 1869, the two Houses will transact no business other than for the President of the Senate and the Speaker of the House to sign enrolled bills for the approval of the Governor, and the entry of the same on the journals of the proper Houses, by the Secretary and Clerk, and that the time of final adjournment of this Legislature shall be on Friday, the 26th day of March, 1869, at 12 o'clock M. of that day.

Laid on the table for one day, under the rules.

Mr. R. V. Briggs offered the following:

*Resolved*, That the State Treasurer is hereby required to report to this House, as soon as convenient, what amount of taxes have been paid into the treasury by the several National Banks of this State, under the provisions of act No. 122 of the session laws of 1867, imposing a specific tax on banking associations organized under the laws of the United States;

Which was withdrawn.

Mr. Ingersoll moved to reconsider the vote by which the following resolution was not adopted yesterday:

*Resolved*, that the committee on supplies and expenditures be and they are hereby instructed to purchase a sufficient number of Geil's revised map of Michigan, of 1869, to furnish one to each member and officer of this House, provided they can be obtained at a cost not exceeding 40 cents per copy;

Which motion prevailed.

The question being upon the adoption of the resolution,

Mr. Ingersoll demanded the yeas and nays;

The demand was seconded, and the resolution was not adopted, by yeas and nays, follows:

#### YEAS.

Mr. Baxter,  
Brownell,  
O. Clark,  
Eaton,  
Fenner,  
Fuller,

Mr. Kingsley,  
Klein,  
Lane,  
Lee,  
McKernan,  
Mitchell,

Mr. Slayton,  
Stewart,  
Thompson,  
Vowles,  
Ward,  
Weier,

Harris,	Newman,	Wendell,
Hunt,	Riopelle,	W. D. Williams,
Hurlbut,	Sanford,	Woodard,
Jewell,	Shaw,	Yawkey,
F. G. Kendrick,	Sheldon,	32

## NAYS.

Mr. Beall,	Mr. Horton,	Mr. Putnam,
Bostwick,	Huston,	Romeyn,
Boynton,	Hutchinson,	Shier,
G. G. Briggs,	Ingersoll,	Smith,
R. V. Briggs,	Lovell,	Stockbridge,
Cameron,	Mandigo,	Swift,
Cogshall,	McCowen,	Walton,
Crossman,	Miller,	Westover,
Davis,	Millington,	White,
Doty,	Murray,	Wilcox,
Eck,	Norton,	J. A. Williams,
Elliott,	Osborn,	Speaker,
Holt,		37

Pending the announcement of the vote,

Mr. Baxter moved that Mr. Boynton be excused from voting;  
Which motion did not prevail.

Mr. Boynton then voted as recorded above.

Mr. Yawkey moved to take from the table House  
manuscript bill, entitled

A bill to authorize the Rifle river and Wigwam Boom Com-  
pany to improve the navigation of said river;

Which motion prevailed.

The question being upon the adoption of the substitute for  
the bill reported by the committee on lumber interests,

The substitute was adopted.

On motion of Mr. Yawkey,

The bill was then ordered printed, referred to the committee  
of the whole, and placed on the general order.

Mr. Wilcox moved to discharge the committee of the  
whole from the further consideration of House bill No. 188,  
entitled

A bill to incorporate the village of Rochester;

Which motion prevailed.

On motion of Mr. Wilcox,



The bill was placed on the order of third reading.

Mr. Wilcox moved that the House go into committee of the whole on the general order;

Which motion did not prevail.

On motion of Mr. Riopelle,

The House took a recess until two o'clock this afternoon.

---

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

GENERAL ORDER.

On motion of Mr. Thompson,

The House went into committee of the whole, on the general order,

Mr. Miles in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 106, entitled

A bill to amend section 569, of the compiled laws, in reference to the bonds of township treasurers;

2. House bill No. 107, entitled

A bill to authorize the board of supervisors of the county of Kalamazoo to raise by tax upon the real and personal property within the county of Kalamazoo, not exceeding the sum of \$2,000, for the purpose of providing a homestead for the widow and children of Col. Benjamin F. Orcutt, deceased;

3. House bill No. 108, entitled

A bill to legalize the survey of the village of Marine City, county of St. Clair, made in the year 1865;

4. House bill No. 110, entitled

A bill to amend section 9, of act No. 205, of the session laws

of 1865, being an act to amend an act entitled an act to provide for a tax upon dogs;

5. House bill No. 111, entitled

A bill to change the name of Percival J. Norton to Percival J. Williams, and to constitute him the heir-at-law of Augustine N. Williams and Katharine Williams;

6. Senate bill No. 43, entitled

A bill to amend section 2017 of the compiled laws, being section 9, of chapter 68, of the compiled laws, relative to religious societies;

7. House bill No. 112, entitled

A bill to amend section three of an act to authorize the City of Saginaw to raise money to construct a county jail for the county of Saginaw, approved January 30, 1869;

8. House bill No. 113, entitled

A bill to provide for an appeal from the board of school inspectors of any school district, to the board of county supervisors;

9. House bill No. 120, entitled

A bill to provide for laying out and establishing a State road in the township of Ishpeming, county of Marquette;

10. House bill No. 121, entitled

A bill to lay out and establish a State road in Houghton county, to be known as the Portage River and Torch Lake State Road, and to provide for the construction of the same;

11. House bill No. 126, entitled

A bill to amend section 20, of an act entitled "an act to incorporate the village of Dansville," approved March 9, 1867, being act No. 307, of the session laws of 1867;

12. House bill No. 132, entitled

A bill to repeal act No. 138, of the session laws of 1865, entitled "An act to attach the county of Manitou to the county of Leelanaw, for certain judicial purposes," approved March 10, 1865;

13. House bill No. 133, entitled

A bill to attach Manitou county to the 13th judicial circuit;

14. House bill No. 134, entitled

A bill to incorporate the village of Leslie;

15. Senate bill No. 51, entitled

A bill to amend section 17 of an act entitled "An act relative to plank roads," approved March 13, 1848, being section 1868 of the compiled laws;

16. Senate bill No. 8, entitled

A bill to amend section 7, of chapter 19, and sections 15 and 17, of chapter 21, of the compiled laws, and to add two new sections to chapter 21;

17. House bill No. 136, entitled

A bill appropriating two sections of State swamp land to enable the local commissioner to complete the Clio and Chesaning State road;

18. House bill No. 139, entitled

A bill to amend section 2, of act No. 297, of the session laws of 1865, entitled "An act to appropriate the highway taxes upon certain lands of non-residents in the townships of Orange, Sebewa and Danby, in the county of Ionia, for the purpose of improving the Grand River turnpike, in said township," and to add a new section thereto, to stand as section 9;

19. House bill No. 140, entitled

A bill to repeal section 1 and section 2, of act No. 471, of the session laws of 1867, and to amend section 3 of the same act;

20. House bill No. 141, entitled

A bill to amend section 24, of chapter 140, of the revised statutes of 1846, being section 5384 of the compiled laws, relative to the limitation of actions, and to repeal act No. 30, of the session laws of 1867;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills:

21. House bill No. 105, entitled

A bill to amend act No. 55, of the session laws of 1867, entitled "An act to provide for county superintendents of schools, and to amend section 91, and repeal sections 74, 85, 86, 87, 88, 89 and 90, of chapter 78, of compiled laws," approved March 13, 1867;

22. House bill No. 109, entitled

A bill to prohibit, discourage and punish prize fighting within the State of Michigan;

23. House bill No. 122, entitled

A bill to amend section 3776, of the compiled laws, in relation to transfer of causes in justices' courts;

24. House bill No. 123, entitled

A bill to authorize the assessment and collection of a tax to defray the expense of grading Cedar street, in the city of Lansing;

25. House bill No. 135, entitled

A bill to organize the county of Benzie;

26. House bill No. 142, entitled

A bill to provide for laying out and establishing a State road in Eaton county, and opening the same;

27. House bill No. 128, entitled

A bill to amend an act entitled "An act to regulate fire, marine, life and health insurance companies, and their agents, associations and partnerships, and individuals doing fire, marine, life and health insurance business, not incorporated by the State of Michigan," being act No. 248, of the session laws of 1859;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill:

28. House bill No. 114, entitled

A bill to amend an act entitled "An act for the re-organization of the military forces of the State of Michigan," being act

No. 16 of the session laws of 1862, and to add thereto a new section, to stand as section 97;

Have directed their chairman to report the same back to the House, with the recommendation that it be recommitted to the committee on military affairs.

The committee of the whole have also had under consideration the following entitled bill:

29. House bill No. 137, entitled

A bill to repeal an act entitled "An act to provide for the draining of swamps, marshes and other low lands," approved March 15, 1861;

Have directed their chairman to report the bill back to the House, with the recommendation that it be laid on the table.

The committee of the whole have also had under consideration the following entitled joint resolutions:

1. Senate joint resolution No. 3, entitled

Joint resolution authorizing the Commissioner of the State Land Office, or other proper officer, to issue a certificate of sale of certain lands to Jacob Pintler, of Eureka, Montcalm county, Michigan;

2. House joint resolution No. 16, entitled

Joint resolution urging upon our Senators and Representatives in Congress the importance of securing to certain Indians and other persons their rights to Indian reservation lands, in Muskegon county;

3. House joint resolution No. 17, entitled

Joint resolution requesting our representatives in Congress to call the attention of the Indian Department to the necessity of having the Indians of this State vaccinated;

4. House joint resolution No. 18, entitled

Joint resolution providing that the swamp land grants for roads in the Upper Peninsula, may be used for the construction of road-beds for tram, train or railroads;

5. Senate joint resolution No. 2, entitled

Joint resolution for the payment of the claim of William Beard and others;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration, the following entitled joint resolution:

6. House joint resolution No. 19, entitled

Joint resolution authorizing the Governor to release all claims of the State of Michigan to the General Government, that said State may have to the east half of the southeast quarter of section 23, township 14 north, of range 12 west, in said State;

Have made an amendment thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

C. MILES, *Chairman*.

Report accepted and committee discharged.

The first twenty named bills were placed on the order of third reading.

On motion of Mr. Smith,

The amendments made to the twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth and twenty-seventh named bills by the committee were concurred in by the House, and the bills placed on the order of third reading.

On motion of Mr. Plimpton,

The recommendation of the committee was concurred in, and the twenty-eighth named bill was recommitted to the committee on military affairs.

On motion of Mr. Baxter,

The recommendation of the committee was concurred in, and the twenty-ninth named bill was laid on the table.

The first five named joint resolutions were placed on the order of third reading.

On motion of Mr. Cameron,

The amendment made to the sixth named joint resolution

was concurred in, and the joint resolution was placed on the order of third reading.

Mr. Romeyn, by unanimous consent, offered the following;

*Resolved*, That the committee on military affairs be authorized to employ a clerk, for a period not exceeding one week, at a compensation not to exceed three dollars per day;

Which was adopted.

The committee on engrossment and enrollment submitted the following report:

The committee on engrossment and enrollment, report as correctly enrolled, signed, and presented to the Governor, the following bills:

A bill to amend an act entitled "An act to incorporate the village of Albion," approved February 7, 1865, and the acts amendatory thereto;

Also,

A bill to amend sections 2, 12 and 22, of act 519, of session laws of 1867, entitled "An act to incorporate the village of Paw Paw;

Also,

A bill to incorporate the city of Corunna.

E. M. MASON, *Chairman*.

Report accepted.

MESSAGE FROM THE GOVERNOR.

By unanimous consent, the Speaker announced the following:

EXECUTIVE OFFICE, }  
*Lansing, March 6, 1869.* }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State:

An act to amend an act entitled "An act to incorporate the village of Albion," approved February 9, 1855, and the acts amendatory thereto;

Also,

An act to amend sections 2, 12 and 22, of act No. 519, of the

session laws of 1867, entitled "An act to incorporate the village of Paw Paw."

HENRY P. BALDWIN.

The message was laid on the table.

Mr. Crossman moved to reconsider the vote by which the House passed Senate bill No. 62, entitled

A bill to incorporate the village of Orion;

Which motion prevailed.

On motion of Mr. Baxter,

The bill was recommitted to the committee on banks and incorporations.

On motion of Mr. G. G. Briggs,

The House adjourned until Monday morning at 9 o'clock.

---

*Lansing, Monday, March 8, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Hickox.

Roll called: quorum present.

Absent without leave: Messrs. Crane, Crossman, Curry, Gifford, Harris and Mitchell.

Mr. Shaw asked and obtained leave of absence for Mr. Crane, for the day.

Mr. Stockbridge asked and obtained leave of absence for Mr. Gifford, for the day.

Mr. Ternes asked and obtained leave of absence for Mr. Harris, until Wednesday morning, on account of sickness.

Mr. Miles asked and obtained leave of absence for Mr. Mitchell, for an indefinite time, on account of sickness.

Mr. Horton asked and obtained leave of absence for Mr. Curry, for an indefinite time, on account of sickness.

PRESENTATION OF PETITIONS.

By Mr. H. G. Williams: memorial of W. L. Wetmore, J. H. Gillett, A. P. Swinford and 114 others, citizens of Ishpeming,



Marquette county, asking that the Upper Peninsula of Michigan be ceded to the General Government, for the purpose of creating a Territory therefrom;

Also: memorial of M. L. Hewett, A. R. Mather and 10 others, citizens of Marquette, for the same purpose.

Referred to the committee on federal relations.

By Mr. Purcell: petition of M. F. Dickinson and 52 others, tax-payers of Detroit, asking that the city charter be amended so that no street shall be ordered paved by the common council until petitioned for by a majority of the property-owners on the line of said street.

Referred to the committee on banks and incorporations.

By Mr. Purcell: affidavits of E. Zener, F. Andre, John Metzner, Jacob Stasser, J. Greusel, P. Rudden, George Crabb, M. Roth, A. Belanger, M. Moran, Wm. Donnelly, J. Deidrick, Henry Wilson, John Fay, A. Grosfield, P. F. Cahill, James Fitzpatrick, Wm. Ringwall, H. Howard, C. Paul, John S. Kelly, C. Clippel, A. Boure, T. Gorman, R. H. Hall, M. Mackey, Wm. S. Bond, John Ford, relative to the condition of the Detroit and Saline Plank Road Company.

Referred to the committee on banks and incorporations.

#### REPORTS OF STANDING COMMITTEES.

By the committee on military affairs:

The committee on military affairs, to whom was referred the petition of Lewis Sanford, Chas. A. Smith and eighteen others, residents of the township of Woodstock, asking for the passage of a law allowing the said township of Woodstock to raise by tax a sufficient amount of money to pay Porter L. Swords for recruits furnished to fill the quota of said town,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the information that a bill to provide for the payment of the said Porter L. Swords has been considered by your committee, and was reported upon by them February 22d last.

They therefore ask to be discharged from the further consideration of the subject.

GEO. G. BRIGGS, *Chairman.*

Report accepted and committee discharged.

The petition was laid on the table.

By the committee on military affairs:

The committee on military affairs, to whom was recommitted House bill No. 114, entitled

A bill to amend an act entitled "An act for the reorganization of the military forces of the State of Michigan," being act No. 16, of the session laws of 1862, and to add a new section thereto, to stand as section 97,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute, being

A bill to amend sections 5, 7, 8, 9, 10, 28, 31, 34, 38, 42, 50, 59, 61, 62, 64, 67, 70, 93 and 95, of an act entitled "An act for the reorganization of the military forces of the State of Michigan," being act No. 16, of the session laws of 1862, approved January 18, 1862, to repeal sections 21, 57 and 58 of said act, and to add thereto a new section, to stand as section No. 97,

Recommending that the substitute be concurred in, and ask to be discharged from the further consideration of the subject.

GEO. G. BRIGGS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cogshall,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on agriculture:

The committee on agriculture, to whom was referred

A bill to aid the Fenton Union Agricultural Society,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to

the House without recommendation, and ask to be discharged from the further consideration of the subject.

E. T. LOVELL, *Chairman*.

Report accepted and committee discharged.

Mr. McCowen moved that the bill be laid on the table;

Which motion did not prevail.

On motion of Mr. Miles,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

Joint resolution to legalize the action of certain commissioners in laying out a road in town 2 south, of range 9 east, as provided by act No. 507, of the session laws of 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman*.

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to provide for the construction of a State road from Isabella, in the county of Isabella, north to Tobacco river, thence north of east to intersect the Midland and Traverse Bay State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to authorize and require laying and establishment of a State road from the western terminus of Fraser street, as laid down on the recorded map of the village of Corunna, in the county of Shiawassee, to Washington street, in the city of Owosso,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on drainage:

The committee on drainage, to whom was recommitted House bill No. 180, entitled

A bill to provide for the draining of swamps, marshes, and other low lands,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

ELLERY A. BROWNELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baxter,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred the following Senate concurrent resolution:

*Resolved*, (the House concurring,) That the action of the House of Representatives of the Congress of the United States, on Monday last, January 18th, in declaring by resolution, "That in the present state of the national finances, no further subsidies ought to be given by Congress, either in bonds or money, to railroads or other corporations, to promote local enterprises, but the whole resources of the country ought to be applied to the pressing necessities of the public service, in such a manner as will relieve the people from the burdens of taxation," meets with our cordial and hearty assent.

*Resolved*, That in the opinion of this Legislature, no public lands should hereafter be given in aid of railroads, except on condition of sale to actual settlers, in quantities not greater than 160 acres to any one purchaser, at a price to be fixed by law, and this should be the future policy of Congress with reference to such grants.

*Resolved*, That His Excellency, the Governor, be requested to transmit copies of the foregoing to each of our Senators and Representatives in Congress;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

R. B. SMITH, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Smith,

The concurrent resolution was laid on the table.

By the committee on education:

The committee on education, to whom was referred

A bill to amend act 239, entitled "An act to organize union school district No. 1, of the township of Spaulding, in the county of Saginaw, also to add a new section thereto,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of Wayne,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. G. G. Briggs,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 112, being

A bill to amend an act entitled an act to authorize the formation of gas-light companies, approved Feb. 12, 1855,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Acting Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 113, entitled

A bill to authorize and provide for re-platting the village of Napoleon, in the county of Jackson, and adding to the plat certain parts of section 36, town 3 south, range 1 east, and a part of section 6, town 4 south, range 2 east,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Wilcox,

The House concurred in the amendment made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 82, entitled

A bill to amend sections 3, 4, 6, 10, 13, 16, 21, 52, 53, 54, 95, 99, 110, 111, 112, 113, 114, 115, 126, 129 and 130, of an act entitled "An act to revise the charter of the city of Adrian," approved March 21, 1865;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 111, entitled

A bill to amend an act entitled "An act to incorporate the village of Whitehall," approved March 19, 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. I. BAXTER, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 86, being

A bill to amend section 15, of an act to incorporate the village of Farmington, approved March 25, 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to authorize the grants of swamp land for the Ontonagon and State line State road, to be used for the construction of two roads from Ontonagon southerly,



Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to legalize the action of fractional school district number one, composed of portions of the townships of Algona, Plainfield and Cannon, in the county of Kent, at their annual school meeting, held on the 7th day of September, A. D. 1868, in reference to issuing bonds,

Together with a petition asking for the passage of such bill,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on federal relations:

The committee on federal relations, to whom was referred House joint resolution No. 15, entitled

Joint resolution for the relief of Hiram Ransom,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

Report accepted and committee discharged.

Mr. Mason moved that the joint resolution be referred to the committee on public lands;

On motion of Mr. Miles,

The joint resolution was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
Lansing, March 6, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House bill No. 116, entitled

A bill to legalize the tax rolls of the townships of Raisin, Ridgeway, Riga, Palmyra, Dover, Rollin, Franklin and Adrian, in Lenawee county, for the year 1866, and the proceedings of the board of supervisors and of the drainage commissioners of said county of Lenawee, pertaining thereto;

2. House bill No. 125, entitled

A bill to organize the township of Meade, in the county of Huron;

3. House manuscript bill, entitled

A bill to divide the township of Bertrand, in the county of Berrien, and to organize a new township, to be called the township of Dayton;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 6, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 69, entitled

A bill to regulate the size of dry or packing barrels for fruits, roots and vegetables,

And to inform the House that the Senate has amended the same by striking out all after the word “be,” in line 2, and inserting in place thereof the words “two and one-half bushels, equivalent to sixty-eight hundred and seventy cubic inches.”

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Swift, moved that the House concur in the amendments made to the bill by the Senate.

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Barnaby,	Mr. Jewell,	Mr. Snell,
Baxter,	Kingaley,	Stewart,
Beall,	Lee,	Stockbridge,
Blake,	Lovell,	Swift,
Bostwick,	McCowen,	Ternes,
Boynton,	McKernan,	Thompson,
G. G. Briggs,	Miles,	Vowles,
Brownell,	Miller,	Wagner,
Cameron,	Millington,	Ward,
O. Clark,	Norton,	Weier,
Eaton,	Osborn,	Wendell,
Eck,	Plimpton,	White,
Elliott,	Purcell,	Wilcox,
Fenner,	Riopelle,	H. G. Williams,
Fuller,	Romeyn,	J. A. Williams,
Gay,	Shaw,	W. D. Williams,
Horton,	Sheldon,	Woodard,
Hunt,	Shier,	Yawkey,
Huston,	Smith,	Speaker,
Hutchinson,		

## NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 6, 1869. }

*To the Speaker of the House of Representatives:*

SIR— I am instructed to return to the House the following bill:

House manuscript bill, entitled

A bill to legalize the tax roll of the township of Hancock, in the county of Houghton, for the year 1868, and to extend the time for the collection of taxes in the same;

In the passage of which the Senate has concurred, by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,  
*Secretary of the Senate.*

On motion of Mr. McKernan,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 6, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate manuscript bill, entitled

A bill to organize the township of Clinton, in the county of Lenawee;

2. Senate bill No. 110, entitled

A bill to amend an act entitled "An act to revise the charter

of the village of Hudson," being act No. 266, of the session laws of 1867, approved February 27, 1867;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and

On motion of Mr. Baxter,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Barnaby,	Mr. Kingsley,	Mr. Smith,
Baxter,	Mason,	Snell,
Blake,	McCowen,	Stewart,
Boynton,	McKernan,	Stockbridge,
G. G. Briggs,	Miles,	Swift,
Brownell,	Miller,	Ternes,
Cameron,	Millington,	Thompson,
O. Clark,	Norton,	Vowles,
Cogshall,	Osborn,	Wagner,
Davis,	Plimpton,	Ward,
Doty,	Purcell,	Weier,
Eaton,	Putnam,	Wendell,
Eck,	Riopelle,	Wilcox,
Fenner,	Romeyn,	H. G. Williams,
Fuller,	Shaw,	W. D. Williams,
Gay,	Shier,	Yawkey,
Hunt,	Slayton,	Speaker,
F. G. Kendrick,		

52

#### NAYS.

Mr. Beall,	Mr. Hutchinson,	Mr. Sheldon,
Bostwick,	Jewell,	Walton,
Elliott,	Lee,	White,

Hartson,  
Horton,

Lovell,  
Murray,

J. A. Williams.  
Woodard, 15

Pending the announcement of the vote,

Mr. Boynton moved that Mr. Barnaby be excused from voting;

Which motion did not prevail.

Mr. Barnaby then voted as recorded above.

Mr. Boynton moved that Mr. Hunt be excused from voting;

Which motion did not prevail.

Mr. Hunt then voted as recorded above.

The title was agreed to.

Mr. Baxter moved that the bill be ordered to take immediate effect;

Which motion did not prevail.

The second named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

#### THIRD READING OF BILLS.

House bill No. 188, entitled

A bill to incorporate the village of Rochester,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Barnaby,	Mr. Jewell,	Mr. Slayton,
Baxter,	F. G. Kendrick,	Smith,
Beall,	Kingsley,	Snell,
Bostwick,	Lee,	Stewart,
G. G. Briggs,	Lovell,	Stockbridge,
Brownell,	Mason,	Swift,
Cameron,	McCowen,	Tarnes,
O. Clark,	McKernan,	Thompson,
Cogshall,	Miles,	Vowles,
Davis,	Miller,	Wagner,
Doty,	Millington,	Walton,
Eaton,	Murray,	Ward,
Eck,	Newman,	Weier,
Elliott,	Norton,	Wendell,
Fenner,	Osborn,	White,
Fuller,	Purcell,	Wilcox,

Gay,	Putnam,	J. A. Williams,	
Holt,	Riopelle,	W. D. Williams,	
Horton,	Romeyn,	Woodard,	
Hunt,	Shaw,	Yawkey,	
Huston,	Sheldon,	Speaker,	64
Hutchinson,			
	NAYS.		0

Title agreed to.

Mr. Wilcox moved that the bill be ordered to take immediate effect.

Mr. Smith moved there be a call of the House;

Which motion prevailed.

#### PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members reported absent without leave:

Messrs. Crossman, Hurlbut, Mandigo, Plimpton, Sanford, Shier and Woodard.

Mr. Cogahall asked and obtained leave of absence for Mr. Shier, for the day, on account of sickness.

Mr. Weier asked and obtained leave of absence for Mr. Woodard, for the forenoon.

On motion of Mr. Yawkey,

The Sergeant-at-Arms was dispatched for the absentees.

The Sergeant-at-Arms announced Mr. Sanford at the bar of the House.

On motion of Mr. Stockbridge,

Mr. Sanford was admitted within the bar of the House, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Hurlbut at the bar of the House.

On motion of Mr. Cameron,

Mr. Hurlbut was admitted within the bar of the House, rendered an excuse and took his seat.

The Sergeant-at-Arms announced Mr. Mandigo at the bar of the House.

On motion of Mr. Vowles,

Mr. Mandigo was admitted within the bar of the House, rendered an excuse and took his seat.

Mr. McKernan moved that all further proceedings under the call be dispensed with,

Which motion did not prevail.

Mr. Stockbridge moved that the vote by which the House refused to dispense with all further proceedings under the call, be reconsidered;

Which motion prevailed.

The question being upon the motion that all further proceedings under the call be dispensed with;

The motion prevailed.

The question being upon ordering the bill to take immediate effect,

It was so ordered, two-thirds of all the members elect voting therefor.

House bill No. 106, entitled

A bill to amend section 569 of the compiled laws, in reference to the bond of township treasurers,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Barnaby,	Mr. Horton,	Mr. Sheldon,
Baxter,	Hurlbut,	Shier,
Beall,	Huston,	Smith,
Blake,	Hutchinson,	Snell,
Bostwick,	F. G. Kendrick,	Stewart,
Boynton,	Kingsley,	Stockbridge,
Brownell,	Lee,	Thompson,
Cameron,	Lovell,	Vowles,
O. Clark,	Mandigo,	Wagner,
Cogshall,	Mason,	Ward,
Davis,	McCowan,	Weier,
Doty,	McKernan,	Wendell,
Eaton,	Miles,	White,
Eck,	Millington,	Wilcox,
Elliott,	Murray,	H. G. Williams,
Gay,	Putnam,	W. D. Williams,
Hartson,	Riopelle,	Yawkey,
Holt,	Romeyn,	



## NAYS.

Mr. Fenner,  
Fuller,  
Jewell,  
Miller,

Mr. Newman,  
Purcell,  
Slayton,

Mr. Walton,  
J. A. Williams,  
Speaker,

10

Title agreed to.

Mr. White moved that the bill be ordered to take immediate effect;

Which motion did not prevail.

House bill No. 107, entitled

A bill to authorize the board of supervisors of the county of Kalamazoo, to raise by tax upon the real and personal property within the county of Kalamazoo, not exceeding the sum of two thousand dollars, for the purpose of providing a homestead for the widow and children of Col. Benjamin F. Orcutt, deceased,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
Boynton,  
G. G. Briggs,  
Brownell,  
Cameron,  
O. Clark,  
Cogshall,  
Davis,  
Doty,  
Eaton,  
Eck,  
Elliott,  
Fenner,  
Fuller,  
Gay,  
Hartson,  
Hunt,  
Hurlbut,

Mr. Huston,  
Hutchinson,  
Jewell,  
F. G. Kendrick,  
Kingley,  
Lee,  
Lovell,  
Mandigo,  
Mason,  
McCowen,  
McKernan,  
Miller,  
Millington,  
Murray,  
Newman,  
Norton,  
Purcell,  
Putnam,  
Riopelle,  
Romeyn,  
Shaw,  
Sheldon,

Mr. Shier,  
Slayton,  
Smith,  
Snell,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Vowles,  
Wagner,  
Walton,  
Ward,  
Weier,  
Wendell,  
White,  
Wilcox,  
J. A. Williams,  
W. D. Williams,  
Yawkey,  
Speaker,

65

## NAYS.

0

Title agreed to.

House bill No. 108, entitled

A bill to legalize the survey of the village of Marine City, county of St. Clair, made in the year 1865,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Slayton moved that there be added to the bill the following:

"Provided, That no present legal vested rights be interfered with;"

Which was not agreed to.

Mr. Stewart moved that the bill be referred to the committee on local taxation;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Barnaby,	Mr. Huston,	Mr. Shier,
Baxter,	Hutchinson,	Slayton,
Beall,	Jewell,	Smith,
Blake,	F. G. Kendrick,	Snell,
Bostwick,	Kingsley,	Stewart,
Boynton,	Lee,	Stockbridge,
G. G. Briggs,	Lovell,	Swift,
Brownell,	Mandigo,	Ternes,
Cameron,	Mason,	Thompson,
O. Clark,	McCowen,	Vowles,
Cogshall,	McKernan,	Wagner,
Davis,	Miles,	Walton,
Doty,	Miller,	Ward,
Eaton,	Millington,	Weier,
Eck,	Murray,	Wendell,
Elliott,	Newman,	White,
Fenner,	Norton,	Wilcox,
Fuller,	Plimpton,	H. G. Williams,
Gay,	Putnam,	J. A. Williams,
Hartson,	Riopelle,	W. D. Williams,
Horton,	Romeyn,	Woodard,
Hunt,	Shaw,	Yawkey,
Hurlbut,	Sheldon,	Speaker, 69

#### NAYS.

Mr. Purcell,

Title agreed to.

On motion of Mr. Boynton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 110, entitled

A bill to amend section 9, of act No. 205, of the session laws of 1865, being an act to amend an act entitled an act to provide for a tax upon dogs,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Jewell moved to strike out all after the enacting clause; Which was not agreed to.

On motion of Mr. Yawkey,

The bill was laid on the table.

House bill No. 111, entitled

A bill to change the name of Percival J. Norton to Percival J. Williams, and to constitute him the heir-at-law of Augustine N. Williams and Katharine Williams,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Barnaby,	Mr. Hurlbut,	Mr. Shaw,
Baxter,	Huston,	Sheldon,
Beall,	Hutchinson,	Shier,
Blake,	Jewell,	Slayton,
Bostwick,	F. G. Kendrick,	Smith,
Boynton,	Kingsley,	Snell,
G. G. Briggs,	Lee,	Stewart,
Brownell,	Lovell,	Swift,
O. Clark,	Mason,	Ternes,
Cogshall,	McCowen,	Thompson,
Davis,	McKernan,	Vowles,
Doty,	Miles,	Walton,
Eaton,	Miller,	Ward,
Eck,	Millington,	Weier,
Elliott,	Murray,	Wendell,
Fenner,	Newman,	White,
Fuller,	Norton,	Wilcox,
Gay,	Plimpton,	H. G. Williams,
Hartson,	Purcell,	W. D. Williams,

Holt,  
Horton,  
Hunt,

Putnam,  
Riopelle,  
Romeyn,

Woodard,  
Yawkey,  
Speaker, 66

## NAYS.

Mr. Mandigo, Mr. J. A. Williams, 2

Pending the announcement of the vote,

Mr. Riopelle moved that Mr. Swift be excused from voting;  
Which motion did not prevail.

Mr. Swift then voted as recorded above.

The title was agreed to.

Senate bill No. 43, entitled

A bill to amend section 2017, of the compiled laws, being  
section 9, of chapter 68, of the compiled laws, relative to  
religious societies,

Was read a third time, and pending the taking of the vote  
on the passage thereof,

Mr. Cogshall moved to amend by inserting after the word  
"laws," in line 2, of section 1, "being section 9, of chapter 68,  
of the compiled laws, relative to religious societies, as amended  
by act No. 73, of the session laws of 1867, approved March 21,  
1867;"

Which was agreed to.

The bill was then passed, a majority of all the members elect  
voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
G. G. Briggs,  
Brownell,  
Cameron,  
O. Clark,  
Cogshall,  
Davis,  
Doty,  
Eaton,  
Eck,  
Elliott,

Mr. Hurlbut,  
Hutchinson,  
Jewell,  
F. G. Kendrick,  
Kingaley,  
Lee,  
Lovell,  
Mandigo,  
Mason,  
McCowan,  
McKernan,  
Miles,  
Miller,  
Millington,  
Murray,

Mr. Slayton,  
Smith,  
Snell,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Vowles,  
Wagner,  
Walton,  
Weier,  
Wendell,  
White,  
Wilcox,

Fenner,	Newman,	H. G. Williams,
Fuller,	Norton,	J. A. Williams,
Gay,	Riopelle,	W. D. Williams,
Holt,	Romeyn,	Yawkey,
Horton,	Shaw,	Speaker,
Hunt,	Sheldon,	62

## NAYS.

Mr. Huston,	Mr. Purcell,	Mr. Woodard,
Plimpton,	Putnan,	5

Mr. Mason moved that the vote by which the bill was passed be reconsidered;

Which motion did not prevail.

Mr. Slayton moved to amend the title by inserting after the word "societies," the following: "by act No. 73, of session laws of 1867, approved March 21, 1867;"

Which was agreed to.

The title as amended, was agreed to.

On motion of Mr. Hunt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 113, entitled

A bill to provide for an appeal from the board of school inspectors of any school district, to the board of county supervisors,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Norton moved to strike out all after the enacting clause;

Which was withdrawn.

On motion of Mr. Cameron,

The bill was referred to the committee on State affairs.

House bill No. 120, entitled

A bill to provide for laying out and establishing a State road in the township of Ishpeming, county of Marquette,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Slayton moved to amend, by striking out the word "two," in line one of section four, and inserting "one" in lieu thereof;

Which amendment was withdrawn.

Mr. J. A. Williams renewed the amendment;

Which was not agreed to

Mr. Cogshall moved to amend, by striking out in lines one and two, of section two, the words "as may be necessary;"

Which was not agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Barnaby,	Mr. Huston,	Mr. Shier,
Baxter,	Hutchinson,	Slayton,
Beall,	Jewell,	Smith,
Blake,	F. G. Kendrick,	Snell,
Bostwick,	Kingsley,	Stewart,
Boynton,	Lee,	Stockbridge,
G. G. Briggs,	Lovell,	Swift,
Brownell,	Mandigo,	Ternes,
Cameron,	Mason,	Thompson,
O. Clark,	McCowan,	Vowles,
Cogshall,	McKernan,	Wagner,
Doty,	Miles,	Walton,
Eaton,	Miller,	Weier,
Eck,	Millington,	Wendell,
Elliott,	Newman,	White,
Fenner,	Norton,	H. G. Williams,
Fuller,	Purcell,	W. D. Williams,
Gay,	Riopelle,	Woodard,
Hartson,	Romeyn,	Yawkey,
Horton,	Shaw,	Speaker,
Hunt,	Sheldon,	

63

#### NAYS.

Mr. Davis,	Mr. Putnam,	Mr. J. A. Williams,
Murray,		4

Title agreed to.

House bill No. 121, entitled

A bill to lay out and establish a State road in Houghton county, to be known as the Portage River and Torch Lake State Road, and to provide for the construction of the same;

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Swift moved to amend by striking out in line two of section 2, the words "of six hundred and forty acres each,"

Which was agreed to.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Barnaby,	Mr. Jewell,	Mr. Slayton,
Baxter,	F. G. Kendrick,	Smith,
Beall,	Kingsley,	Snell,
Blake,	Lee,	Stewart,
Bostwick,	Lovell,	Stockbridge,
Brownell,	Mandigo,	Swift,
Cameron,	Mason,	Ternes,
O Clark,	McCowen,	Thompson,
Cogshall,	McKernan,	Vowles,
Doty,	Miles,	Wagner,
Eaton,	Miller,	Walton,
Eck,	Millington,	Ward,
Elliott,	Newman,	Weier,
Fenner,	Norton,	Wendell,
Fuller,	Plimpton,	White,
Gay,	Purcell,	H. G. Williams,
Hartson,	Riopelle,	W. D. Williams,
Horton,	Shaw,	Woodard,
Hunt,	Sheldon,	Yawkey,
Huston,	Shier,	Speaker,
Hutchinson,		61

## NAYS.

Mr. G. G. Briggs,	Mr. Murray,	Mr. J. A. Williams,
Davis,	Romeyn,	5

Title agreed to.

House bill No. 132, entitled

A bill to repeal act No. 138, of the session laws of 1865, entitled "An act to attach the county of Manitou to the county of Leelanaw, for certain judicial purposes," approved March 10, 1865,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Barnaby,	Mr. Hutchinson,	Mr. Sheldon,
Baxter,	Ingersoll,	Shier,
Beall,	Jewell,	Slayton,
Blake,	F. G. Kendrick,	Smith,

Bostwick,	Kingsley,	Snell,
Boynton,	Lee,	Stewart,
G. G. Briggs,	Lovell,	Stockbridge,
Brownell,	Mandigo,	Swift,
Cameron,	Mason,	Ternes,
O. Clark,	McCowen,	Thompson,
Cogshall,	McKernan,	Vowles,
Davis,	Miles,	Wagner,
Doty,	Miller,	Walton,
Eaton,	Millington,	Ward,
Eck,	Murray,	Weier,
Elliott,	Newman,	Wendell,
Fenner,	Norton,	White,
Fuller,	Plimpton,	H. G. Williams,
Gay,	Purcell,	J. A. Williams,
Hartson,	Putnam,	W. D. Williams,
Horton,	Riopelle,	Woodard,
Hunt,	Romeyn,	Yawkey,
Hurlbut,	Shaw,	Speaker,
Huston,		

70  
0

NAYS.

Title agreed to.

On motion of Mr. Miles,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 133, entitled

A bill to attach Manitou county to the 13th judicial circuit,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Barnaby,	Mr. Huston,	Mr. Shaw,
Baxter,	Hutchinson,	Sheldon,
Beall,	Ingersoll,	Shier,
Blake,	Jewell,	Slayton,
Bostwick,	F. G. Kendrick,	Smith,
Boynton,	Kingsley,	Stewart,
G. G. Briggs,	Lee,	Stockbridge,
Brownell,	Lovell,	Swift,
Cameron,	Mandigo,	Ternes,
O. Clark,	McCowen,	Thompson,
Cogshall,	McKernan,	Vowles,
Davis,	Miles,	Wagner,
Doty,	Miller,	Walton,
Eaton,	Millington,	Ward,



Eck,  
Elliott,  
Fenner,  
Fuller,  
Gay,  
Hartson,  
Horton,  
Hunt,  
Hurlbut,

Murray,  
Newman,  
Norton,  
Plimpton,  
Purcell,  
Putnam,  
Riopelle,  
Romeyn,

Weier,  
Wendell,  
White,  
H. G. Williams,  
J. A. Williams,  
W. D. Wilms,  
Woodard,  
Speaker,

67

## NAYS.

Mr. Mason,

1

Title agreed to.

On motion of Mr. Miles,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 134, entitled

A bill to incorporate the village of Leslie,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Barnaby,  
Baxter,  
Blake,  
Bostwick,  
Boynton,  
G. G. Briggs,  
Brownell,  
Cameron,  
O. Clark,  
Cogshall,  
Davis,  
Doty,  
Eaton,  
Eck,  
Elliott,  
Fenner,  
Fuller,  
Gay,  
Hartson,  
Holt,  
Horton,  
Hunt,  
Hurlbut,

Mr. Huston,  
Hutchinson,  
Ingersoll,  
Jewell,  
F. G. Kendrick,  
Kingsley,  
Lane,  
Lee,  
Lovell,  
Mandigo,  
Mason,  
McCowen,  
McKernan,  
Miles,  
Miller,  
Millington,  
Murray,  
Newman,  
Norton,  
Plimpton,  
Purcell,  
Putnam,  
Riopelle,

Mr. Romeyn,  
Shaw,  
Sheldon,  
Shier,  
Slayton,  
Smith,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Wagner,  
Walton,  
Ward,  
Weier,  
Wendell,  
White,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Speaker,

68

## NAYS.

0

Title agreed to.

On motion of Mr. Mason,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 8, entitled

A bill to amend section 7, of chapter 19, and sections 15 and 17, of chapter 21, of the compiled laws, and to add two new sections to chapter 21,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Slayton,

The bill was recommitted to the committee on the judiciary.

House bill No. 112, entitled

A bill to amend section three of an act to authorize the city of Saginaw to raise money to construct a county jail for the county of Saginaw, approved January 30th, 1869,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Barnaby,	Mr. Huston,	Mr. Sheldon,
Baxter,	Hutchinson,	Shier,
Blake,	Ingersoll,	Slayton,
Bostwick,	Jewell,	Smith,
Boynton,	F. G. Kendrick,	Snell,
G. G. Briggs,	Kingsley,	Stewart,
Brownell,	Lane,	Stockbridge,
Cameron,	Lee,	Swift,
O. Clark,	Lovell,	Ternes,
Cogshall,	Mandigo,	Thompson,
Davis,	Mason,	Wagner,
Doty,	McCowen,	Walton,
Eaton,	McKernau,	Ward,
Eck,	Miles,	Weier,
Elliott,	Miller,	Wendell,
Fenner,	Millington,	White,
Fuller,	Murray,	Wilcox,
Gay,	Newman,	H. G. Williams,
Hartson,	Purcell,	J. A. Williams,
Holt,	Putnam,	W. D. Williams,

Horton,  
Hunt,  
Hurlbut,

Riopelle,  
Romeyn,  
Shaw,

Woodard,  
Speaker,

68

NAYS.

0

Title agreed to.

On motion of Mr. Lane,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 139, entitled

A bill to amend section 2, of act No. 297, of the session laws of 1865, entitled "An act to appropriate the highway taxes upon certain lands of non-residents, in the townships of Orange, Sebewa and Danby, in the county of Ionia, for the purpose of improving the Grand River turnpike, in said township," and to add a new section thereto, to stand as section 9,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Smith moved to amend by striking out all after the word "road," in line 5 of section 1, and inserting: "Sec. 2. The following section shall be added to stand as section 9 of said act, to read as follows;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
G. G. Briggs,  
Brownell,  
Cameron,  
O. Clark,  
Cogshall,  
Davis,  
Doty,  
Eaton,  
Eck,

Mr. Hutchinson,  
Ingersoll,  
F. G. Kendrick,  
Kingsley,  
Lane,  
Lee,  
Lovell,  
Mandigo,  
Mason,  
McCowen,  
McKernan,  
Miles,  
Miller,  
Millington,

Mr. Sheldon,  
Shier,  
Slayton,  
Smith,  
Snell,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Wagner,  
Walton,  
Ward,  
Weier,

Elliott,	Murray,	Wendell,
Fuller,	Newman,	White,
Gay,	Norton,	Wilcox,
Hartson,	Purcell,	H. G. Williams,
Holt,	Putnam,	J. A. Williams,
Horton,	Riopelle,	W. D. Williams,
Hunt,	Romeyn,	Woodard,
Hurlbut,	Sanford,	Speaker.
Huston,	Shaw,	
	NAYS.	68
		0

Title agreed to.

On motion of Mr. Smith,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 140, entitled

A bill to repeal section 1 and section 2, of act No. 471, of the session laws of 1867, and to amend section 3 of the same act;

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Cogshall,

The bill was recommitted to the committee on roads and bridges.

House bill No. 141, entitled

A bill to amend section 24, of chapter 140, of the revised statutes of 1846, being section 5384 of the compiled laws, relative to the limitation of actions, and to repeal act No. 30, of the session laws of 1867,

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

# YEAS.

Mr. Eaton,	Mr. Kingsley,	Mr. Snell,
Eck,	Lane,	Ternes,
Elliott,	Lee,	Thompson,
Gay,	Murray,	Ward,
Horton,	Plimpton,	Weier,
Hurlbut,	Putnam,	White,
Huston,	Riopelle,	Woodard,
Ingersoll,	Romeyn,	

## NAYS.

Mr. Barnaby,	Mr. Hutchinson,	Mr. Sheldon,
Baxter,	Jewell,	Shier,
Beall,	F. G. Kendrick,	Slayton,
Blake,	Lovell,	Smith,
Bostwick,	Mandigo,	Stewart,
Boynnton,	Mason,	Stockbridge,
Brownell,	McCowen,	Vowles,
Cameron,	McKernan,	Wagner,
O. Clark,	Miles,	Walton,
Cogshall,	Miller,	Wendell,
Davis,	Millington,	Wilcox,
Doty,	Newman,	H. G. Williams,
Fenner,	Purcell,	J. A. Williams,
Fuller,	Sanford,	W. D. Williams,
Hartson,	Shaw,	Speaker,
Hunt,		46

On motion of Mr. Cameron,

The House took a recess until 2 o'clock this afternoon.

## AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

The House resumed business under the order of

## THIRD READING OF BILLS.

Senate joint resolution No. 3, entitled

Joint resolution authorizing the Commissioner of the State Land Office, or other proper officer, to issue a certificate of sale of certain lands to Jacob Pintler, of Eureka, Montcalm county, Michigan,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Barnaby,	Mr. Horton,	Mr. Shaw,
Baxter,	Hunt,	Smith,
Beall,	Huston,	Snell,
Blake,	Hutchinson,	Stewart,
Bostwick,	Ingersoll,	Stockbridge,

Boynton,	Jewell,	Swift,
G. G. Briggs,	F. G. Kendrick,	Ternes,
Brownell,	Kingsley,	Thompson,
Cameron,	Lane,	Vowles,
O. Clark,	Lee,	Wagner,
Cogshall,	Lovell,	Walton,
Crossman,	McCowen,	Ward,
Davis,	Miles,	Weier,
Doty,	Millington,	Wendell,
Eaton,	Murray,	White,
Eck,	Newman,	Wilcox,
Elliott,	Norton,	H. G. Williams,
Fenner,	Purcell,	J. A. Williams,
Fuller,	Putnam,	W. D. Williams,
Gay,	Riopelle,	Woodard,
Hartson,	Romeyn,	Speaker,
Holt,		

64

NAYS.

0

Title and preamble agreed to.

House joint resolution No. 16, entitled

Joint resolution urging upon our Senators and Representatives in Congress the importance of securing to certain Indians and other persons their rights to Indian reservation lands in Muskegon county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Barnaby,	Mr. Hunt,	Mr. Romeyn,
Baxter,	Huston,	Sanford,
Beall,	Hutchinson,	Shaw,
Blake,	Ingersoll,	Smith,
Bostwick,	Jewell,	Snell,
Boynton,	F. G. Kendrick,	Stewart,
G. G. Briggs,	Kingsley,	Stockbridge,
Brownell,	Klein,	Swift,
Cameron,	Lane,	Ternes,
O. Clark,	Lee,	Thompson,
Cogshall,	Lovell,	Vowles,
Crossman,	Mandigo,	Wagner,
Davis,	McCowen,	Walton,
Doty,	Miles,	Weier,
Eaton,	Millington,	White,
Eck,	Murray,	Wilcox,

Elliott,	Newman,	H. G. Williams,
Fenner,	Norton,	J. A. Williams,
Fuller,	Purcell,	W. D. Williams,
Gay,	Putnam,	Woodard,
Holt,	Riopelle,	Speaker,
Horton,		64

NAYS. 0

Title and preamble agreed to.

House joint resolution No. 18, entitled

Joint resolution providing that the swamp land grants for roads in the Upper Peninsula may be used for the construction of road-beds for tram, train or railroads,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Barnaby,	Mr. Holt,	Mr. Riopelle,
Baxter,	Horton,	Romeyn,
Beall,	Hunt,	Sanford,
Blake,	Huston,	Shaw,
Bostwick,	Hutchinson,	Slayton,
Boynton,	Ingersoll,	Smith,
G. G. Briggs,	Jewell,	Snell,
Brownell,	F. G. Kendrick,	Stewart,
Cameron,	Kingsley,	Stockbridge,
O. Clark,	Klein,	Thompson,
Cogshall,	Lane,	Vowles,
Crossman,	Lee,	Wagner,
Davis,	Lovell,	Walton,
Doty,	Mandigo,	Weier,
Eaton,	McCowen,	Wendell,
Eck,	Miles,	White,
Elliott,	Millington,	H. G. Williams,
Fenner,	Murray,	W. D. Williams,
Fuller,	Newman,	Woodard,
Gay,	Norton,	Speaker,
Hartson,	Putnam,	62

NAYS.

Mr. Purcell,	Mr. Ternes,	Mr. Wilcox,
Swift,		4

Title and preamble agreed to.

House joint resolution No. 17, entitled

Joint resolution requesting our Representatives in Congress

to call the attention of the Indian Department to the necessity of having the Indians of this State vaccinated,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Barnaby,	Mr. Huston,	Mr. Shaw,
Baxter,	Hutchinson,	Slayton,
Beall,	Ingersoll,	Smith,
Blake,	Jewell,	Snell,
Bostwick,	F. G. Kendrick,	Stewart,
Boynton,	Kingsley,	Stockbridge,
G. G. Briggs,	Klein,	Swift,
Cameron,	Lane,	Ternes,
O. Clark,	Lee,	Thompson,
Cogshall,	Lovell,	Vowles,
Crossman,	Mandigo,	Wagner
Davis,	McCowen,	Walton,
Doty,	Miles,	Weier,
Eaton,	Mullington,	Wendell,
Eck,	Murray,	White,
Fenner,	Newman,	Wilcox,
Fuller,	Norton,	H. G. Williams,
Gay,	Purcell,	J. A. Williams,
Hartson,	Putnam,	W. D. Williams,
Holt,	Riopelle,	Woodard,
Horton,	Romeyn,	Speaker,
Hunt,	Sanford,	

65

## NAYS.

0

Title and preamble agreed to.

House bill No. 128, entitled

A bill to amend an act entitled "An act to regulate fire, marine, life and health insurance companies, and their agents, associations and partnerships, and individuals doing fire, marine, life and health insurance business, not incorporated by the State of Michigan," being act No. 248, of the session laws of 1859,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Barnaby,	Mr. Hutchinson,	Mr. Sanford,
Baxter,	Ingersoll,	Shaw,



Beall,	Jewell,	Sheldon,
Blake,	F. G. Kendrick,	Slayton,
Bostwick,	Kingsley,	Smith,
Boynton,	Klein,	Snell,
G. G. Briggs,	Lane,	Stewart,
Brownell,	Lee,	Stockbridge,
Cameron,	Lovell,	Swift,
O. Clark,	Mason,	Ternes,
Cogshall,	McCowen,	Thompson,
Crossman,	McKernan,	Vowles,
Davis,	Miles,	Wagner,
Doty,	Miller,	Walton,
Eaton,	Millington,	Ward,
Elliott,	Murray,	Weier,
Fenner,	Newman,	Wendell,
Fuller,	Norton,	White,
Gay,	Plimpton,	Wilcox,
Holt,	Purcell,	H. G. Williams,
Horton,	Putnam,	J. A. Williams,
Hunt,	Riopelle,	W. D. Williams,
Hurlbut,	Romeyn,	Woodard,
Huston,		70

## NAYS.

Mr. Eck,                      Mr. Mandigo,                      Mr. Speaker,                      3

Title agreed to.

House bill No. 123, entitled

A bill to authorize the assessment and collection of a tax to defray the expense of grading Cedar street, in the city of Lansing,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Barnaby,	Mr. Hutchinson,	Mr. Riopelle,
Baxter,	Ingersoll,	Romeyn,
Beall,	Jewell,	Shaw,
Blake,	F. G. Kendrick,	Sheldon,
Bostwick,	Kingsley,	Slayton,
Boynton,	Klein,	Smith,
Brownell,	Lane,	Snell,
Cameron,	Lee,	Stewart,
Cogshall,	Lovell,	Stockbridge,
Crossman,	Mandigo,	Swift,
Davis,	Mason,	Thompson,

Eaton,  
Eck,  
Elliott,  
Fenner,  
Fuller,  
Gay,  
Hartson,  
Hunt,  
Hurlbut,  
Huston,

McCowen,  
McKernan,  
Miles,  
Miller,  
Millington,  
Murray,  
Newman,  
Plimpton,  
Purcell,  
Putnam,

Vowles,  
Wagner,  
Walton,  
Ward,  
Weier,  
White,  
H. G. Williams,  
W. D. Williams,  
Woodard,  
Speaker, 63

## NAYS.

Mr. G. G. Briggs, Mr. O. Clark, Mr. Doty, 3

Pending the announcement of the vote,

Mr. Lee moved that Mr. Sanford be excused from voting;

Which motion prevailed.

The title was agreed to.

On motion of Mr. Sanford,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 126, entitled

A bill to amend section 20 of an act, entitled "An act to incorporate the village of Dansville," approved March 9th, 1867, being act No. 307, of the session laws of 1867,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
G. G. Briggs,  
Brownell,  
Cameron,  
O. Clark,  
Cogshall,  
Crossman,  
Davis,  
Doty,  
Eaton,  
Eck,  
Elliott,

Mr. Hutchinson,  
Ingersoll,  
Jewell,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lane,  
Lee,  
Lovell,  
Mandigo,  
Mason,  
McCowen,  
McKernan,  
Miles,  
Miller,  
Millington,

Mr. Shaw,  
Sheldon,  
Shier,  
Slayton,  
Smith,  
Snell,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Vowles,  
Wagner,  
Walton,  
Ward,  
Weir,

Fenner,  
Fuller,  
Gay,  
Hartson,  
Hunt,  
Huribut,  
Huston,

Newman,  
Norton,  
Putnam,  
Riopelle,  
Romeyn,  
Sanford,

White,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Speaker,

67

NAYS.

Mr. Purcell,

1

Title agreed to.

On motion of Mr. Crossman,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 105, entitled

A bill to amend act No. 55, of the session laws of 1867, entitled "An act to provide for county superintendents of schools and to amend section 91, and repeal sections 74, 85, 86, 87, 88, 89 and 90, of chapter 78, of compiled laws," approved March 13, 1867;

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Elliott offered the following, as a substitute therefor:

"Sec. 1. *The People of the State of Michigan enact*, That there shall be elected on the first Monday of April, 1869, and every two years thereafter, one township school inspector in each organized township, who shall hold his office for two years and until his successor is elected and qualified; before he shall enter upon the duties of his office, he shall take and subscribe before the township clerk of his township, the constitutional oath of office; he shall perform the same duties in his township that are now required to be performed by the county superintendent of schools, he shall be entitled to receive for services actually rendered two dollars per day, which shall be audited and paid by the township in the same manner as other township expenses are paid.

"Sec. 2. All acts and parts of acts contravening this act be and are hereby repealed."

Which was not adopted.

Mr Purcell moved that the further consideration of the bill be indefinitely postponed.

Mr. Ingersoll demanded the yeas and nays.

The demand was seconded, and the motion to indefinitely postpone prevailed, by yeas and nays, as follows:

## YEAS.

Mr. Barnaby,	Mr. Hutchinson,	Mr. Shaw,
Beall,	Jewell,	Sheldon,
Bostwick,	F. G. Kendrick,	Shier,
G. G. Briggs,	Klein,	Stewart,
Cogshall,	Lovell,	Swift,
Davis,	Mandigo,	Wagner,
Doty,	Mason,	Walton,
Eaton,	McCowen,	Weier,
Eck,	Murray,	White,
Elliott,	Plimpton,	Wilcox,
Hartson,	Purcell,	H. G. Williams,
Horton,	Riopelle,	J. A. Williams,
Hurlbut,	Romeyn,	Woodard.
Huston,		

40

## NAYS.

Mr. Baxter,	Mr. Kingsley,	Mr. Slayton,
Blake,	Lane,	Smith,
Brownell,	Lee,	Snell,
Cameron,	McKernan,	Stockbridge,
O. Clark,	Miles,	Ternes,
Crossman,	Miller,	Thompson,
Fenner,	Millington,	Vowles,
Fuller,	Newman,	Ward,
Gay,	Norton,	Wendell,
Holt,	Putnam,	W. D. Williams
Hunt,	Sanford,	Speaker.
Ingersoll,		

34

House bill No. 109, entitled

A bill to prohibit, discourage and punish prize fighting within the State of Michigan;

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Miles moved to amend by inserting the word "by" between the words "or" and "both," in line 5, of section 17, and

inserting between the words "both" and "at," in the same line, the words "such fine and imprisonment;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Barnaby,	Mr. Huston,	Mr. Romeyn,
Baxter,	Hutchinson,	Sanford,
Beall,	Ingersoll,	Shaw,
Blake,	Jewell,	Sheldon,
Bostwick,	F. G. Kendrick,	Shier,
Boynton,	Kingsley,	Slayton,
G. G. Briggs,	Klein,	Smith,
Brownell,	Lane,	Snell,
Cameron,	Lee,	Stewart,
O. Clark,	Lovell,	Stockbridge,
Cogshall,	Mandigo,	Swift,
Davis,	Mason,	Ternes,
Doty,	McCowen,	Thompson,
Eaton,	Miles,	Wagner,
Eck,	Miller,	Walton,
Elliott,	Millington,	Ward,
Fenner,	Murray,	Weier,
Fuller,	Newman,	Wendell,
Gay,	Norton,	White,
Hartson,	Plimpton,	Wilcox,
Horton,	Purcell,	H. G. Williams,
Hunt,	Putnam,	J. A. Williams,
Hurlbut,	Riopelle,	Speaker, 69

## NAYS.

Mr. Holt,	Mr. Vowles,	Mr. Woodard,	
McKernan,	W. D. Williams,		5

Pending the announcement of the vote,

Mr. Woodard moved that Mr. Norton be excused from voting;

Which motion did not prevail.

Mr. Norton then voted as recorded above.

The title was agreed to.

House bill No. 122, entitled

A bill to amend section 3776, of the compiled laws, in relation to transfer of causes in justices' courts,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Barnaby,	Mr. Huston,	Mr. Romeyn,
Baxter,	Hutchinson,	Sanford,
Beal,	Ingersoll,	Shaw,
Blake,	Jewell,	Sheldon,
Bostwick,	F. G. Kendrick,	Shier,
Boynnton,	Kingsley,	Slayton,
G. G. Briggs,	Klein,	Smith,
Brownell,	Lane,	Snell,
Cameron,	Lee,	Stewart,
O. Clark,	Lovell,	Stockbridge,
Cogshall,	Mandigo,	Swift,
Crossmon,	Mason,	Ternes,
Davis,	McCowen,	Thompson,
Doty,	McKernon,	Vowles,
Eaton,	Miles,	Wagner,
Eck,	Miller,	Walton,
Elliott,	Millington,	Weir,
Fenner,	Murray,	Wendell,
Fuller,	Newman,	White,
Gay,	Norton,	Wilcox,
Hartson,	Plimpton,	H. G. Williams,
Holt,	Purcell,	J. A. Williams,
Horton,	Putnam,	Woodard,
Hunt,	Riopelle,	Speaker.

72

## NAYS.

0

Title agreed to.

Mr. Cogshall moved that the bill be ordered to take immediate effect;

Which motion did not prevail.

House bill No. 135, entitled

A bill to organize the county of Benzie,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Barnaby,	Mr. Hurlbut,	Mr. Romeyn,
Baxter,	Huston,	Sanford,
Beall,	Hutchinson,	Shaw,
Blake,	Ingersoll,	Sheldon,
Bostwick,	Jewell,	Shier,

Boynton,	Kingsley,	Slayton,
G. G. Briggs,	Klein,	Smith,
Brownell,	Lane,	Snell,
Cameron,	Lee,	Stockbridge,
O. Clark,	Lovell,	Swift,
Gogehall,	Mandigo,	Ternes,
Crossman,	Mason,	Thompson,
Davis,	McCowen,	Vowles,
Doty,	McKernan,	Wagner,
Eaton,	Miles,	Walton,
Eck,	Miller,	Weier,
Elliott,	Millington,	Wendell,
Fenner,	Murray,	White,
Fuller,	Newman,	Wilcox,
Gay,	Norton,	H. G. Williams,
Hartson,	Plimpton,	J. A. Williams,
Holt,	Purcell,	W. D. Williams,
Horton,	Putnam,	Woodard,
Hunt,	Riopelle,	Speaker, 72
	NAYS.	0

Title agreed to.

On motion of Mr. Miles,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House joint resolution, No. 19, entitled

Joint resolution authorizing the Governor to release all claims of the State of Michigan to the general government that said State may have to the east half of the southeast quarter of section 23, township 14 north, of range 12 west, in said State,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Huston,

The joint resolution was laid on the table.

House bill No. 142, entitled

A bill to provide for laying out and establishing a State road in Eaton county, and opening the same,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Barnaby,	Mr. Hutchinson,	Mr. Shier,
Baxter,	Jewell,	Slayton,
Beall,	Kingsley,	Smith,
Blake,	Klein,	Snell,
Bostwick,	Lane,	Stockbridge,
Boynton,	Lee,	Swift,
G. G. Briggs,	Lovell,	Ternes,
O. Clark,	Mandigo,	Thompson,
Cogshall,	Mason,	Vowles,
Crossman,	McCowen,	Wagner,
Davis,	McKernan,	Walton,
Eaton,	Miles,	Ward,
Eck,	Miller,	Weier,
Elliott,	Murray,	Wendell,
Fenner,	Newman,	White,
Fuller,	Norton,	Wilcox,
Holt,	Plimpton,	H. G. Williams,
Horton,	Putnam,	J. A. Williams,
Hunt,	Riopelle,	W. D. Williams,
Hurlbut,	Shaw,	Woodard,
Huston,	Sheldon,	Speaker, 63
	NAYS.	0

Title agreed to.

On motion of Mr. Thompson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 136, entitled

A bill appropriating two sections of State swamp land, to enable the local commissioner to complete the Clio and Chesaning State road,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Smith moved to strike out all after the word "road," in line 4, of section 1;

Which was not agreed to.

Mr. McCowen moved to insert between the words "of" and "swamp," in line 2, the word "State;"

Which was not agreed to.

On motion of Mr. Slayton,



The bill was recommitted to the committee on public lands. Senate bill No. 51, entitled

A bill to amend section 17 of an act, entitled "An act relative to plank roads," approved March 13, 1868, being section 1868 of the compiled laws,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Horton moved to amend, by striking out in line 2, of recited section 17, the word "two," and inserting "five," in lieu thereof;

Which was agreed to.

The bill was then not passed, two-thirds of all the members elect not voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Barnaby,	Mr. Elliott,	Mr. Shaw,
Baxter,	Fuller,	Shier,
Beall,	Holt,	Snell,
Blake,	Horton,	Vowles,
Bostwick,	Hunt,	Wagner,
G. G. Briggs,	Ingersoll,	Wendell,
Brownell,	Kingsley,	White,
O. Clark,	Lee,	Wilcox,
Cogshall,	Lovell,	H. G. Williams,
Crossman,	Mandigo,	J. A. Williams,
Davis,	McCowen,	W. D. Williams,
Doty,	McKernan,	Woodward,
Eaton,	Millington,	Speaker,
Eck,		

40

#### NAYS.

Mr. Boynton,	Mr. Mason,	Mr. Sheldon,
Cameron,	Miles,	Smith,
Fenner,	Miller,	Stewart,
Hartson,	Newman,	Stockbridge,
Hurlbut,	Norton,	Swift,
Huston,	Plimpton,	Tarnes,
Hutchinson,	Purcell,	Thompson,
Jewell,	Putnam,	Walton,
F. G. Kendrick,	Riopelle,	Ward,
Klein,	Romeyn,	Weier,
Lane,	Sanford,	

32

Pending the announcement of the vote,

Mr. Mason moved that Mr. Miller be excused from voting;

Which motion did not prevail.

Mr. Miller then voted as recorded above.

Pending the announcement of the vote,

Mr. F. G. Kendrick moved that Mr. Sanford be excused from voting;

Which motion did not prevail.

Mr. Sanford then voted as recorded above.

Mr. Sanford moved that the vote by which the last named bill was lost, be reconsidered.

Mr. Plimpton moved to lay the motion to reconsider on the table,

Which motion did not prevail.

The motion to reconsider then prevailed.

The question then being upon the passage of the bill,

On motion of Mr. Sanford,

The bill was laid on the table.

#### MOTIONS AND RESOLUTIONS.

Mr. Sanford moved to discharge the committee of the whole from the further consideration of Senate bill No. 113, entitled

A bill to authorize and provide for replatting the village of Napoleon, in the county of Jackson, and adding to the plat certain parts of section thirty-six, town three south, range one east, and a part of section thirty-one, town three south, range two east; also, a part of section six, town four south, range two east;

Which motion prevailed.

On motion of Mr. Sanford,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Barnaby,  
Baxter,  
Beall,

Mr. Hutchinson,  
Ingersoll,  
Jewell,

Mr. Sanford,  
Shaw,  
Sheldon,

Blake,	F. G. Kendrick,	Shier,
Boynton,	Kingsley,	Smith,
G. G. Briggs,	Klein,	Snell,
Brownell,	Lane,	Stewart,
Cameron,	Lee,	Stockbridge,
O. Clark,	Lovell,	Swift,
Cogshall,	Mandigo,	Ternes,
Crossman,	Mason,	Thompson,
Davis,	McCowen,	Vowles,
Doty,	McKernan,	Wagner,
Eaton,	Miles,	Walton,
Eck,	Miller,	Ward,
Elliott,	Millington,	Weier,
Fenner,	Murray,	Wendell,
Fuller,	Newman,	White,
Hartson,	Norton,	Wilcox,
Holt,	Plimpton,	H. G. Williams,
Horton,	Purcell,	J. A. Williams,
Hunt,	Putnam,	W. D. Williams,
Hurlbut,	Riopelle,	Woodward,
Huston,	Romeyn,	Speaker. 72

NAYS.

0

Title agreed to.

On motion of Mr. Sanford,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Smith offered the following:

*Resolved*, That the Clerk be directed to announce before the adjournment of each day, the numbers or titles of the first ten bills or resolutions which are on the general order;

Which was adopted.

Mr. Huston moved to reconsider the vote by which the House refused to pass House bill No. 141, entitled

A bill to amend section 24, of chapter 140, of the revised statutes of 1846, being section 5384 of the compiled laws, relative to the limitation of actions, and to repeal act No. 30, of the session laws of 1867;

Which motion prevailed.

The question being upon the passage of the bill,

On motion of Mr. Huston,

The bill was laid on the table.

Mr. Miller offered the following:

*Resolved*, That the Commissioner of the State Land Office be and he is hereby requested to transmit to this House information upon the following subjects, to wit:

1. Does section 16, in town 54 north, of range 34 west, belong to this State?
2. Was not said land within the mineral range, so called, and reserved from sale by the laws of this State?
3. If said land has been sold, by what authority was it done; who was the purchaser, and for what price and upon what terms was it sold? and any and all particulars in regard to the sale and transfer of said land within his knowledge;

Which was adopted.

Mr. Huston offered the following:

*Resolved* That the Swamp Land State road Commissioner be requested to report to this House, with all convenient speed, the amount of money that has been paid for surveys of State roads, and how much on each road; also, how much has been paid to local commissioners for their services, and to whom, and on what road;

Which was adopted.

Mr. Huston offered the following:

*Resolved*, That the Commissioner of the State Land Office be requested to report to this House the number of acres of State swamp land that has been selected as homesteads, and sold under the act of 1858, upon part payment, giving the amount of each, separately;

Which was adopted.

Mr. Huston offered the following:

*Resolved*, That the Swamp Land State Road Commissioner be requested to report to this House the number of acres of land in the original grant of swamp lands by Congress to this State; what part of the same are in the Upper Peninsula, and what part in the Lower Peninsula, and the counties in which the same are located; also the aggregate amount in acres that have been expended and appropriated, either in land or money, for

the purposes of building roads and ditches in this State, since such grant was made, as appears from the books, records, files, contracts or other documents in his office;

Which was adopted.

Mr. Plimpton moved to discharge the committee of the whole from the further consideration of House bill No. 219, entitled

A bill to detach sections 1, 2, 11, 12, 13, 14, and fractional sections 23 and 24, and all that part of sections 3, 10, 15, 20 and 22, which lies east of the St. Joseph river, and all being in township No. 8 south, range 17 west, and attach the same to the township of Bertrand;

Which motion did not prevail.

Mr. Fuller offered the following:

*Resolved*, That from and after Monday, the 8th inst., this House will hold evening sessions, commencing at 7½ o'clock of each day, until otherwise ordered;

Which was withdrawn.

Mr. Hurlburt moved to reconsider the vote by which the House passed House bill No. 106, entitled

A bill to amend section 569, of the compiled laws, in reference to the bond of township treasurers;

Which motion prevailed.

The question then being upon the passage of the bill,

On motion of Mr. Hurlburt,

The bill was laid on the table.

#### UNFINISHED BUSINESS,

Being the consideration of the following concurrent resolution:

*Resolved*, (the Senate concurring,) That from and after Tuesday, the 23d day of March, 1869, the two Houses will transact no business other than for the President of the Senate and the Speaker of the House to sign enrolled bills for the approval of the Governor, and the entry of the same on the journals of the proper Houses, by the Secretary and Clerk, and that the time

of final adjournment of this Legislature shall be on Friday, the 26th day of March, 1869, at 12 o'clock M of that day.

On motion of Mr. G. G. Briggs,

The concurrent resolution was laid on the table.

GENERAL ORDER.

On motion of Mr. Riopelle,

The House went into committee of the whole, on the general order,

Mr. Romeyn in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. Senate bill No. 59, entitled

A bill to amend section 59, of chapter 90, of the revised statutes of 1846, being section 3513, of the compiled laws, relative to the powers, limits and jurisdiction of the circuit courts;

2. House bill No. 147, entitled,

A bill authorizing the building of a dam across Norris Creek, in Muskegon county;

3. House bill No. 148, entitled

A bill to provide for laying out and establishing a State road in Eaton, Ingham and Jackson counties, and opening the same;

4. House bill No. 149, entitled

A bill to provide for the laying out and establishing a State road from Caro to Hurd's Corners, in Tuscola county;

5. House bill No. 150, entitled

A bill to provide for the payment of Porter L. Swords, of the city of Adrian, Lenawee county, for furnishing money to certain volunteers credited to the township of Woodstock, in said county, to aid in the suppression of the rebellion;

6. House bill No. 151, entitled

A bill to legalize the action of the electors of the township of Romulus, in the county of Wayne, in their having voted to refund moneys paid or advanced by them for the payment of

bounties to volunteers, who enlisted to fill the quota of said township under the last call of the President;

7. House bill No. 153, entitled

A bill to authorize the Auditor General to issue a new tax deed, in place of one lost;

8. Senate bill No. 34, entitled

A bill to create a soldiers' aid fund for disabled Michigan soldiers, Sailors and marines, and Michigan men who have served in the late war in other State organizations, or in the forces of the United States;

9. Senate bill No. 74, entitled

A bill to change the name of the township of Reed, Oceana county, to that of Ferry;

10. Senate bill No. 45, entitled

A bill to organize the township of Colfax, in the county of Oceana;

11. House bill No. 156, entitled

A bill to amend section 2871, of the compiled laws of this State;

12. House bill No. 157, entitled

A bill to authorize the township of Swan Creek, in the county of Saginaw, to aid in the construction of a bridge across the Tittabawassee river, in said county, by issuing the bonds of said township, and to provide for the payment thereof;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill:

13. House bill No. 118, entitled

A bill to amend section 1, of act No. 141, of the session laws of 1859, approved February 12, 1859, entitled an act to amend chapter 46, of the revised statutes of 1846 entitled of "timber and lumber floating upon waters, or carried upon adjoining lands," being section 1599, of the compiled laws, as amended,

## 14. House bill No. 146, entitled

A bill to change the time of holding probate court, in the county of Leelanaw;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill :

## 15. House bill No. 159, entitled

A bill to provide for the building and maintenance of bridges across meandered streams, by general tax,

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

The committee of the whole have also had under consideration the following entitled joint resolution:

## House joint resolution No. 20, entitled

Joint resolution instructing the Senators and Representatives of the State of Michigan, in Congress, relative to the Indian reservation,

Have made no amendments thereto, and have directed their chairman to report the same back to the House and recommend its passage.

JAMES W. ROMEYN, *Chairman.*

Report accepted and committee discharged.

The first twelve named bills and the joint resolution, were placed on the order of third reading.

On motion of Mr. G. G. Briggs,

The House concurred in the amendments made to the thirteenth and fourteenth named bills by the committee, and the bills were placed on the order of third reading.

On motion of Mr. Holt,

The action of the House in striking out all after the enacting clause of the fifteenth named bill, was concurred in.

On motion of Mr. Cameron,



The enacting clause was laid on the table.

On motion of Mr. Thompson,

The House adjourned until to-morrow morning at 9 o'clock.

---

*Lansing, Tuesday, March 9, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Roll called: quorum present.

Absent without leave: Messrs. R. V. Briggs and Osborn.

Mr. Rowson asked and obtained leave of absence for Mr. Osborn, until to-morrow morning.

Mr. Purcell asked and obtained leave of absence for Mr. R. V. Briggs, for an indefinite time, on account of sickness.

#### PRESENTATION OF PETITIONS.

By Mr. McKernan: memorial of Capt. Wm. Ryan, Dr. M. Tompkins and 255 others, citizens of Houghton and Keweenaw counties, asking that the Upper Peninsula be ceded to the general government;

Also, memorial of Capt. Samuel McDonnell, Capt. Thomas Roberts and 48 others, for the same purpose;

Also, memorial of Rev. Wm. Dwyers and 59 others, for the same purpose.

Referred to the committee on federal relations.

By Mr. Holt: petition of A. A. Bullock and 45 others, citizens of Muskegon county, praying for the passage of a bill providing for departments in our colleges for normal instruction of teachers.

Referred to the committee on education.

By Mr. Holt: remonstrance of Robert Little and 14 others, citizens of Muskegon county, against the building of a dam across Norris creek.

Referred to the committee on internal improvements.

By Mr. Putnam: petition of P. D. Beckwith, president, and T. H. Roys, H. B. Wells, A. M. Dickson, G. Gibbs, L. Lyle and

G. D. Jones, trustees of the village of Dowagiac, and 53 others, citizens of the village of Doiwagiac, Cass county, asking for the passage of a bill to authorize the president and trustees of said village to compromise with the parties interested, for certain encroachments upon streets, lanes and alleys of said village.

Referred to the committee on banks and incorporations.

By Mr. Westover: petition of C. H. Pine and 40 others, for the attaching of Roscommon county to Iosco county.

Referred to the committee on towns and counties.

By Mr. Wendell: petition of Joseph Neogima, Paul Kawego-mou, M. Washimiu and 105 other freeholders and electors of the township of LaCroix, in the county of Emmett, praying for the reorganization of said county, and establishing the county seat at Little Traverse Bay.

Referred to the committee on towns and counties.

By Mr. Vowles: statement of the school board of district No. 5, of the village of Milford, in regard to the present condition of school buildings in said village.

Referred to the committee on banks and incorporations.

By Mr. Vowles: remonstrance of Z. M. Mowrey, Joseph Brown and 16 others, against amending the proposed charter of Milford so as to make the entire village one school district.

Referred to the committee on banks and incorporations.

By Mr. Murray: petition of H. Palmerlee, S. C. Smith and 18 others, to amend the general plank road law so as to include within its provisions roads built of gravel or pavement;

Also: petition of S. Wood and 34 others, for the same purpose.

Referred to the committee on roads and bridges.

By Mr. Avery: petition of J. H. Maze and 38 others, asking for the organization of the township of North Pierson, in Montcalm county.

Referred to the committee on towns and counties.

By Mr. Slayton: remonstrance of Stephen Schmit and 26 others, of Buena Vista township, in Saginaw county, against

the enlargement of the present boundaries of East Saginaw City.

Referred to the committee on banks and incorporations.

By Mr. Slayton: remonstrance of U. B. Williams and E. J. Booth, against too great an extension of the boundaries of the village of Lowell;

Also: remonstrance of Dr. A. Peck, against a change in the proposed enlargement of the village of Lowell;

Also: map of the proposed boundaries of the village of Lowell.

Referred to the committee on banks and incorporations.

By Mr. H. G. Williams: memorial of S. P. Ely and Peter White, officers of the Marquette and Ontonagon railroad company, remonstrating against the passage of joint resolution No. 21, to forfeit the lands granted to the Marquette and Ontonagon railroad company, and to confer the said grant of lands upon some other company.

Mr. Miles moved that the memorial be ordered printed in the journal,

Which motion did not prevail.

The memorial was referred to the committee on internal improvements.

#### REPORTS OF STANDING COMMITTEES.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to protect the citizens of Michigan from empiricism, and elevate the standing of the medical profession,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to ascertain and perpetuate township and section lines and corners of original surveys.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to authorize the township board of Fairfield, in the county of Shiawassee, to credit certain accounts,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to refund to the Michigan State Agricultural Society moneys expended by said society in the erection of a building conveyed to the State of Michigan, for the use of the Normal School,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass,

and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. G. G. Briggs,

The bill was laid on the table.

By the committee on State affairs:

The committee on State affairs, to whom was referred Senate bill No. 95, being

A bill to provide for the establishment of polytechnic associations,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred Senate bill No. 97, being

A bill to provide for the safe-keeping of public libraries,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred Senate bill No. 115, entitled

A bill to protect females from insult,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred Senate bill No. 72, being

A bill to prevent the destruction of muskrats and muskrat houses, in the marshes along the shores of Lakes Erie, St. Clair, Huron and Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred Senate bill No. 90, being

A bill to amend an act to provide for the registration of births, marriages, and deaths, being act No. 194 of session laws of 1867, approved March 27, 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when

so amended, do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Cogshall,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

The following are the amendments;

1. Amend recited section, line 2, by striking out "15th," and inserting "10th."

2. Amend line 7, of section 1, by inserting between the words "the first," the word "said;" also, by striking out in the same line, the word "thereafter."

3. Amend line 8, of section 1, by striking out the word "five," which is written in the blank, and inserting "ten."

4. Amend section 1, by adding the following proviso:

"*Provided*, That in the city of Detroit the duties required by this act to be performed by persons appointed by the common council for that purpose. And it shall be the duty of the common council, on or before the 10th day of April, in each year, to appoint such number of persons in each ward of said city as shall be necessary to perform said duties within the time limited by this act, and such persons shall possess all the authority conferred upon, and perform all the duties required of, supervisors and assessors by this act, within the territory assigned them respectively by the common council, and shall receive such compensation for their services not exceeding the same allowed by this act to supervisors and assessors, as shall be fixed by the common council, to be paid by the county of Wayne, and shall be liable to the same penalties for refusal or neglect to perform any of said duties.

5. Amend last line in section 4, by striking out the word "fifteenth," and inserting the word "tenth."

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill for the establishment, endowment and support of the college of homeopathy, in the University of Michigan, and to repeal act No. 100, of the session laws of 1855,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass.

In stating the reasons that impel your committee to urge the adoption of this bill, they would briefly epitomize the leading and principal features of the bill under consideration: It provides, first, for the establishment in the Department of Medicine of the University of Michigan, a branch thereof, to be known as the College of Homeopathy in the University of Michigan, in which the theory and practice of homeopathy shall be taught by the necessary faculty, to be appointed and held under the control of the Board of Regents.

*Secondly.* An endowment, not less than seventy-five thousand dollars, and not exceeding two hundred thousand dollars, shall be paid into the treasury of the State, to be known as the "homeopathic college fund," the interest and income of which shall be inviolably appropriated and applied to the support of said college.

*Thirdly.* The State Treasurer shall credit to the said fund an interest at the rate of seven per cent., which interest shall be paid out of the general fund to the Board of Regents, and which interest, with all the sums received in fees, shall be applied to the support of such college.

*Fourthly.* The students regularly matriculated in such college shall have all the rights and privileges of students in the other departments of the University.

*Fifthly.* As soon as the sum of seventy-five thousand dollars shall have been contributed by the friends of such college, and actually paid in cash into the State treasury, to the credit of "the homeopathic college fund," the Board of Regents



shall proceed to the erection of the necessary buildings for the use of the college, upon the grounds of the University at Ann Arbor, in such number and style as such Board may direct, and have the same completed and furnished for use at the earliest practicable moment, and at a cost not to exceed sixty thousand dollars, the said sum to be paid out by the State Treasurer to the order of said board, or their treasurer, in such installments, and from time to time, as may be required by the Regents.

*Sixthly.* The bill repeals the act of 1855, creating a separate chair in the University.

Your committee on State of affairs have not undertaken to investigate, determine or report upon the question of the relative merits of the systems of medical theory and practice to be affected by this bill. This question, they consider to be in no way involved in the proposition presented to the consideration of the Legislature by the bill submitted. The legislation demanded is neither a decision of the question of the superiority of one system over the other, nor the choice of either to be adopted by law as the "State system" of medical theory and practice, for the one is clearly beyond the constitutional competency of the Legislature, and the other is as clearly to be tried and determined before that tribunal whose decision alone can be of practical value to either contestant. The legislation asked for is simply to place both systems on an equal footing, in respect to the facilities afforded by the State for the professional education and training of physicians and surgeons.

At the time of the establishment of the medical department of the University of Michigan, one only of these systems obtained throughout the State, and it was, therefore, as a matter of course and of necessity, that the department was placed under the control of professors devoted to that system; since that time, however, the rival system of homoeopathy, based upon different principles, and pursuing other methods and means of cure, has gradually gained ground in public favor, until now nearly four hundred practitioners of the new system

pursue their profession in this State, and have the care and medical treatment of nearly two-fifths of our population, composed, not of "the ignorant and credulous only," but embracing a very large proportion of the most cultivated, refined and intelligent of our people, who, after a trial of both systems, have adopted the theories, and prefer the practice of homeopathy.

The original establishment of the medical department of the University, as a part of our State system of education, was required and authorized only by the fact that the people, for whose benefit the University was founded and endowed, entrusted to physicians of the system there to be taught the care of their health and lives. Public policy, humanity and justice required that the people should be protected from imposition and unskillfulness in the profession, upon whose competency their lives, health and prosperity so largely depended; and hence the Legislature wisely and rightfully provided for the professional training of this class as a part of the educational system of the State.

As long as the people were content with this provision, and universally, or but with few exceptions, availed themselves of the benefits it was designed to secure to them, the Legislature had fully discharged its duty in respect to this great public interest; but now when the condition of things is entirely changed, when a new system of medical practice has been adopted, by nearly, if not quite two-fifths of the people of the State, new obligations arise from the change of circumstances.

To deny to the new system, and the very large number of our people who have adopted it, the protection afforded by the laws to the old system and its adherents, is to repudiate the very principle upon which the existing medical department was founded, and on which only it can be justified, and retained as a part of our public system of education.

If the establishment and support by State authority of the department of medicine in the State University was demanded and justified only by the fact that it was the duty of the State to protect its citizens, by the educational facilities it affords,

from the ignorance and want of skill of those intrusted with the care of their health and lives, by what rule of logic or justice can the State now deny to a class of its people, more numerous than the entire population of the State when the University was founded, the same protection against ignorance and imposture on the part of those entrusted with the care of their health and lives?

Your committee believe that the State cannot rightfully or consistently disregard the claims of this large class of our people to the protection, rights and privileges now by law secured to the adherents of the old system, and they hold it to be the duty of the State to provide by law the same educational and professional training for homeopathic as for allopathic physicians.

To refuse this, is in fact, (and as effectually as the same object could be secured by positive legislation,) to adopt and establish the system now taught in the medical department of the University as "*the State system*" of medical theory and practice, and to proscribe the rival system as effectually as it can be done by statutory penalties and disabilities.

By the enactment of the bill submitted, the same rights and same privileges are secured to both systems—exclusive privileges and patronage granted to neither. No just or legal right of the existing medical department is taken away or abridged; the question of the superior claims of the one over the other to the support and confidence of the people is in no way affected or determined by the patronage or authority of the State, but each is left to contend for the mastery, on equal terms, in a fair trial of skill.

It has been urged that the establishment of a new medical school in the University will be fatal to the existence of the old department, to which we reply that this is merely a matter of opinion or conjecture—that the success of each must depend upon the learning, skill and prudence with which it is managed—and that the destruction of either can only occur when the other shall have fully and fairly won the battle of truth over.

error, and vindicated its right to life and the spoils of the conquered.

It has also been intimated that if the proposed new school be established, the present medical faculty will abandon the institution, and their department be broken up. To this, we reply, that however much we may deprecate the threatened calamity, we cannot admit it to be irreparable. The consequences could be but temporary only. Conceding to the present faculty all the merit claimed for them, it can hardly be doubted that in the contingency named, their places may be filled with gentlemen equally competent and equally devoted to the system they teach.

We submit further, that the reasons assigned for this proposed withdrawal seems to us in no way to warrant or justify the course proposed; but, if valid to this extent, they go further, and require those gentlemen to leave, not only the University, but the city, county, State or country in which homeopathy may be taught, or in which a homeopath may practice the profession of medicine. We submit further, that however cogent the reasons assigned, no consideration of any such action on the part of the employes of the State in any of its institutions can, consistently with the dignity and duty of the Legislature, be permitted to influence, far less control its action, upon questions affecting public or private rights, or the interests of the people.

By the provisions of the bill submitted, the principles and practice of homeopathy are to be taught in a branch of the University, at Ann Arbor, in a separate college, in its own buildings, by a full corps of professors in the different departments of medical science and practice, beyond the control of the existing medical department, but equally subordinate with that to the common government of the Board of Regents. This distinct and independent existence of the rival schools seems to your committee essential to the success of both, and will, it is believed, give rise to a vigorous and healthy competition, beneficial to both.

Your committee see no greater incompatibility between these two schools of medicine within the same university, than between the classical and the scientific departments, or between these and the agricultural departments and that of the mechanic arts.

The bill proposes to repeal the law of 1855, as useless in itself, and altogether superseded by the provisions of the proposed law. By the act of 1855, a professorship of homeopathy was created, and its incumbent was to be placed solitary and alone, in the midst of the camp of his professional opponents,—a single champion against a host of enemies, armed with all the weapons and advantages which numbers, power and patronage could give them. With such odds against him, his championship might have been illustrated by courage, but the wreath of victory could never have adorned his brow—his defeat was certain.

Had the faculty of the old school been as shrewd as they are zealous, they would have secured a cheap and easy victory, by promptly accepting and carrying out the provisions of the act of 1855. The infusion of so small a proportion of homeopathy into so large a mass of allopathy would have been ineffectual; the dose was homeopathic in quantity, but it lacked the essential requisite of "*similia similibus*." Homeopathy and its champion would both have disappeared together from the University, to trouble it no more forever.

Your committee further suggest that by the terms of this bill a large endowment may be secured for the proposed college from the friends of the new system, thus securing its great objects at but little cost to the State. That the new college will attract students to the University from all parts of the United States; that its institution as proposed will extend equal protection to all our citizens, and by this act of justice to all, the State will stand the just and impartial judge between the rival systems. We therefore earnestly recommend the passage of the bill, as a wise, just and beneficial measure, demanded:

alike by the interests of the University, sound public policy, and a just respect for the opinions and rights of all.

All of which is respectfully submitted.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on drainage:

The committee on drainage, to whom was referred

A bill to authorize the township of Delhi, in the county of Ingham, to raise by tax a sum of money for the purpose of draining a swamp in said township,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on drainage:

The committee on drainage, to whom was referred

A bill to legalize the action of the board of drain commissioners of Lenawee county, in laying out and establishing certain drains in said county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on drainage:

The committee on drainage, to whom was referred House bill No. 155, being

A bill to authorize proceedings to collect taxes to defray the expenses of constructing certain ditches in the county of Saginaw, and to appraise the damages arising from the construction of such ditches,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Yawkey,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred certain petitions and memorials, and also

A bill to incorporate the city of Lapeer,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Wilcox,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the city of Big Rapids;

Also: petition of E. O. Rose, Charley Gay, D. F. Wooley, Charles Shafer and 91 others, asking the passage of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the city of Muskegon;

Also, the petition of Chauncey Davis, Geo. F. Outhwaite, Lyman G. Mason, Albion A. Bullock and 115 others, citizens of the village of Muskegon, asking for a city charter,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.



By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of New Haven, in the county of Macomb,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 110, entitled

A bill to amend an act entitled "An act to revise the charter of the village of Hudson," being act No. 266, of the session laws of 1867, approved Feb. 27, 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 85, entitled

A bill to amend section fifteen, of act number two hundred and thirty-two, of the session laws of 1863, being "An act to provide for the incorporation of water-power companies," approved March 20, 1863;

Also, Senate bill No. 87, entitled

A bill for the incorporation of societies of ~~merchants~~;

Also, Senate bill No. 104, entitled

A bill to amend section fifty-one, of an act entitled "An act to incorporate the city of Battle Creek," approved February 3, 1859;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*.

Report accepted and committee discharged.

The several named bills were referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 99, entitled

A bill to amend sections 16 and 35 of an act to incorporate the city of Monroe, approved March 22d, 1837,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Miles,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was recommitted Senate bill No. 62, entitled

A bill to incorporate the village of Orion,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Baxter,

The House concurred in the amendment made to the bill by the committee.

The bill having been read a third time, and the question being upon its passage,

It was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Horton,	Mr. Rowison,
Avery,	Hubbard,	Shaw,
Barnaby,	Hunt,	Sheldon,
Baxter,	Hurlbut,	Shier,
Beall,	Huston,	Sickels,
Blake,	Hutchinson,	Slayton,
Bostwick,	Ingersoll,	Smith,
Boynton,	Jewell,	Snell,
G. G. Briggs,	F. G. Kendrick,	Stannard,
Cameron,	Kingsley,	Stewart,
B. Clark,	Klein,	Stockbridge,
O. Clark,	Lane,	Swift,
Cogshall,	Lee,	Thompson,
Crane,	Lovell,	Vowles,
Crossman,	Mason,	Walten,
Davis,	McCowan,	Ward,
Doty,	McKernan,	Weier,
Eaton,	Miles,	Wendell,
Eck,	Miller,	Westover,
Elliott,	Millington,	White,
Fenner,	Murray,	Wilcox,
Fuller,	Newman,	H. G. Williams,
Gay,	Plimpton,	J. A. Williams,
Goodrich,	Purcell,	W. D. Williams,

Grant,  
Hartson,  
Holt,

Putnam,  
Riopelle,  
Romeyn,

Woodard,  
Yawkey,  
Speaker,

81

NAYS.

0

Title agreed to.

On motion of Mr. Baxter,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on military affairs:

The committee on military affairs, to whom was referred Senate Joint resolution No. 10, entitled

Joint resolution making an appropriation of one thousand dollars, for engrossing a roll of honor on parchment, and for binding the same for State Library and the original for Adjutant General's office,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the joint resolution, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

GEO. G. BRIGGS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Horton,

The House concurred in the amendment made to the joint resolution by the committee.

The joint resolution was then referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, on the 8th day of March, A. D. 1869, the following bills and joint resolutions, to-wit:

A bill to incorporate the village of Augusta, in the county of Kalamazoo;

Also,

A bill to organize the township of Meade, in the county of Huron;

Also,

A bill to regulate the size of dry or packing barrels for fruits, roots and vegetables;

Also,

A bill to legalize the tax roll of the township of Hancock, in the county of Houghton, for the year 1868, and to extend the time for the collection of taxes in the same;

Also,

A bill to legalize the tax rolls of the townships of Raisin, Ridgeway, Riga, Palmyra, Dover, Rollin, Franklin and Adrian, in Lenawee county, for the year 1866, and the proceedings of the board of supervisors and of the drainage commissioners of said county of Lenawee, pertaining thereto,

Also,

Joint resolution for the relief of Theron Ford and William H. Haze;

Also,

A joint resolution ratifying the proposed amendment to the constitution of the United States;

Also: the following bills, which were presented to the Governor on the 9th of March, A. D. 1869, to wit:

A bill to revise the charter of the village of Saugatuck;

Also,

A bill to amend act No. 397 of the session laws of 1867, entitled "An act to amend act No. 301 of the session laws of 1865," being an act entitled "An act to regulate the tolls on plank roads in Bay, Clinton, Gratiot and Saginaw counties;"

Also,

A bill to divide the township of Bertrand, county of Berrien, and to organize a new township, to be called the township of Dayton;

Also,

A bill to amend act number 174, of the session laws of 1867, being "an act supplementary to an act to authorize the forma-

tion of corporations for mining, smelting, or manufacturing iron, copper, mineral coal, silver, or other ores or minerals; and for other manufacturing purposes," approved February 18, 1869,

E. M. MASON, *Chairman*.

Report accepted.

By the committee on federal relations:

The committee on federal relations, to whom was referred Senate joint resolution No. 7, entitled

Joint resolution assenting to the transfer of title from the State of Pennsylvania to the United States, of the soldiers' national cemetery, at Gettysburgh, Pennsylvania,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

G. W. SWIFT, *Chairman*.

Report accepted and committee discharged.

The joint resolution was referred to the committee of the whole, and placed on the general order.

By the committee on immigration:

The committee on immigration, to whom was referred House bill No. 124, entitled

A bill for the encouragement of immigration;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill for the encouragement of immigration,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

O. NEWMAN, *Acting Chairman*.

Report accepted and committee discharged.

On motion of Mr. Newman,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to amend an act, entitled "An act relative to laying out, altering and discontinuing highways," approved March 15, 1861, and providing for appeals to circuit court commissioners, and other purposes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands;

The committee on public lands, to whom was referred

A bill appropriating State swamp land for the construction of a State road from Cheboygan river to Old Mackinac,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill appropriating State swamp land for the construction of a State road from Cheboygan river to Old Mackinac;

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, *Jr.*, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. McKernan,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to repeal section 7, of act No. 217, of the session laws of 1861, being an act entitled "An act to provide for the drainage and reclamation of swamp lands, by means of State roads and ditches,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was recommitted House bill No. 136, entitled

A bill appropriating two sections of State swamp land, to enable the local commissioner to complete the Ohio and Chesaning State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill appropriating two sections of State swamp land to enable the local commissioner to complete the Ohio and Chesaning State road;

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Horton.



The House concurred in the adoption of the substitute reported by the committee.

The bill having been read a third time, and the question being upon its passage as amended by the adoption of the substitute,

It was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Horton,	Mr. Slayton,
Baxter,	Hunt,	Snell,
Beall,	Hurlbut,	Stannard,
Bostwick,	Huston,	Stewart,
Boynton,	Jewell,	Stockbridge,
Brownell,	Kingsley,	Swift,
Cameron,	Lane,	Thompson,
B. Clark,	Lee,	Vowles,
O. Clark,	McCowen,	Wagner,
Cogshall,	McKernan,	Ward,
Crane,	Miles,	Wendell,
Davis,	Newman,	Westover,
Eaton,	Plimpton,	Wilcox,
Eck,	Riopelle,	H. G. Williams,
Fenner,	Romeyn,	W. D. Williams,
Fuller,	Sanford,	Woodard,
Grant,	Shaw,	Yawkey,
Hartson,	Sheldon,	Speaker,
Holt,	Sickels,	

56

## NAYS.

Mr. Avery,	Mr. Klein,	Mr. Putnam,
Barnaby,	Lovell,	Ternes,
G. G. Briggs,	Mandigo,	Walten,
Crossman,	Miller,	Weier,
Doty,	Millington,	White,
Goodrich,	Murray,	J. A. Williams,
Hutchinson,		

19

Mr. Huston moved to amend the title by striking out the words "enable the local commissioner to;"

Which motion prevailed.

The title, as amended, was agreed to.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to organize the township of Hamlin, in the county of Eaton,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

Mr. J. A. Williams moved that the bill be laid on the table.

Which motion did not prevail.

On motion of Mr. Sanford,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to organize the county of L'Anse,

Together with the accompanying petition and remonstrance,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the bill do not pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. McKernan,

The bill was laid on the table.

The petition and remonstrance were laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of South Haven,

Also, remonstrance of H. Chatfield and 51 others against the passage of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to

the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

DAN'L L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baxter,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed; referred to the committee of the whole, and placed on the general order.

The remonstrance was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred:

A bill to incorporate the village of Dryden, in the county of Lapeer,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

DAN'L L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to enlarge the corporate limits and to incorporate the village of Union City,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when

so amended do pass, and ask to be discharged from the further consideration of the subject.

DAN'L L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cogshall,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of White Pigeon,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

DANIEL L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Wilcox,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend an act entitled "An act to revise the charter of the city of Detroit," approved Feb. 5, 1857, as amended by several acts amendatory thereof;

Also, four other bills amending certain sections of the same charter, and bearing similar titles,

Respectfully report that they have had the same under consideration, and have directed me to report that they have con-

solidated the five bills into one, including, without amendment, the body of such of the several bills into the accompanying substitute, entitled a bill to amend an act entitled "An act to revise the charter of the city of Detroit," approved Feb. 5, 1857, as amended by several acts amendatory thereof, which your committee report to the House with the recommendation that it be printed, and placed on the general order for examination..

D. L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baxter,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred Senate bill No. 116, entitled

A bill to authorize the trustees of the village of St. Johns to levy a tax of five thousand dollars, for a court house for Clinton county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

Mr. Miles, by unanimous consent, moved to take from the table Senate joint resolution No. 2, entitled

Joint resolution for the payment of the claim of William Beard and others;

Which motion prevailed.

The joint resolution having been read a third time, and the

question being upon its passage, pending the taking the vote on the passage thereof,

Mr. Miles moved to amend by striking out lines 15 and 16, of the preamble;

Which was agreed to.

Mr. Horton moved to further amend the joint resolution by striking out in line 81, the words, "and others until a sufficient sum," and inserting "until a sum not exceeding fifty thousand dollars" in lieu thereof;

Which was not agreed to.

Mr. McCowen moved to further amend by inserting in line 31, after the word "moneys," the words "not otherwise appropriated;"

Which was not agreed to.

Mr. Cogshall moved that the House take a recess until two o'clock;

Which motion did not prevail.

Mr. Miles demanded the previous question;

The demand was seconded, and the main question ordered.

The question being upon the passage of the joint resolution, the following was the vote thereon:

#### YEAS.

Mr. Avery,	Mr. Hunt,	Mr. Sheldon,
Barnaby,	Huston,	Sichels,
Baxter,	Ingersoll,	Slayton,
Blake,	F. G. Kendrick,	Smith,
Boynton,	Kingsley,	Snell,
G. G. Briggs,	Klein,	Stannard,
Cameron,	Lane,	Swift,
B. Clark,	Lee,	Ternes,
O. Clark,	Mandigo,	Thompson,
Cogshall,	McCowen,	Vowles,
Crane,	Miles,	Ward,
Davis,	Murray,	Weier,
Doty,	Newman,	Wendell,
Eaton,	Norton,	Westover,
Fuller,	Plimpton,	White,
Gay,	Purcell,	Wilcox,
Gifford,	Riopelle,	H. G. Williams,
Grant,	Romeyn,	Woodard,

Hartman,  
Holt,

Rowison,  
Sanford,

Yawkey.

59

# NAYS.

Mr. Ashley,  
Beall,  
Bostwick,  
Brewnell,  
Eck,  
Elliott,  
Fenner,  
Goodrich,  
Horton,  
Hubbard,

Mr. Hurlbut,  
Hutchinson,  
Jewell,  
Lovell,  
Mason,  
McKernan,  
Miller,  
Millington,  
Putnam,

Mr. Shaw,  
Shier,  
Stewart,  
Stockbridge,  
Wagner,  
Walton,  
J. A. Williams,  
W. D. Williams,  
Speaker.

28

The Speaker declared that two-thirds of all the members elect not having voted in favor of the passage of the joint resolution, it was not passed;

Mr. Miles appealed from the decision of the chair, on the ground that the joint resolution only required a majority of all the members elect to pass it.

The Speaker gave it as his opinion that no bills or joint resolutions of this nature should be passed without the assent of two-thirds of all the members of the House. Section 45 of Article 4 of the Constitution reads as follows: "The assent of two-thirds of all the members elected to each House of the Legislature shall be requisite to every bill appropriating the public money or property for local or private purposes."

In considering the point of order raised on the passage of this joint resolution, two questions naturally arise—

1st. Does the joint resolution appropriate the public money?

2nd. If so, is it for a local or private purpose?

The resolution reads as follows:

*"Resolved by the Senate and House of Representatives of the State of Michigan, That the Auditor General be and he hereby is authorized and directed to draw his warrant upon the State Treasurer for all moneys which may from time to time, after the passage of this act, come into the State Treasury from the United States as five per cent. of the proceeds of the sales of all the public lands lying within this State, under the provis-*

ions of the act of Congress providing for the admission of the State of Michigan into the Union on certain conditions, approved June 25th, 1836," &c.

There can be no question but what the joint resolution does appropriate the public money, and as it appears from the statement of the Auditor General that the internal improvement fund is largely in debt to the general fund, it does, therefore, in effect, appropriate it from the general fund.

In considering the second question, it will be necessary to refer to the original act making the appropriation.

Section 2 of said act reads as follows:

"There shall be appropriated for the payment of all such work, for the improvement of the navigation of said river as contemplated by this act, the sum of fifty thousand dollars, to be paid from the internal improvement fund of this State."

Section 13 of said act reads as follows:

"No money shall be drawn from the general fund in the treasury of this State for this purpose, nor shall the State be responsible, or held liable, for any contract growing out of this improvement, except as herein otherwise provided."

The object of the work was to construct a ditch, or channel, through the sand flats of the Muskegon river, so as to enable the people of that locality to float logs and lumber through the same; and, as was stated in the act, "for the improvement of the navigation of said river."

It is evidently the meaning of the Constitution that all works of this nature should be considered local in character; but if there is any doubt on this point, it is clear and admitted by all, that the contract under which the work was constructed was rendered unconstitutional, for the reason that it was let to a member of the Legislature; hence became null and void, and could have no binding force upon the State; the claim, therefore, becomes private in its character. In regard to the correctness of this conclusion, it would seem there can be no doubt, and the precedents seem to sustain this view. The



House of Representatives in 1861, passed a joint resolution for the payment of this same claim in swamp lands, the Speaker ruling, and the House sustaining him, that it required a two-thirds vote to pass the joint resolution. If it required a two-thirds vote to appropriate the public lands to pay this claim, how can it require a less vote to appropriate the public money for the same purpose? This is a question upon which members of this House honestly differ, and upon which all legal gentlemen do not agree. If there is a doubt, it seems to be but just that the tax-payers should have the benefit of that doubt.

The question being, "Shall the judgment of the Chair stand as the judgment of the House?"

Mr Brownell demanded the yeas and nays.

The demand was seconded, and the decision of the chair was not sustained, by yeas and nays as follows:

## YEAS.

Mr. Ashley,	Mr. Grant,	Mr. Putnam,
Avery,	Horton,	Shaw,
Beall,	Hubbard,	Shier,
Bostwick,	Hurlbut,	Sickels,
Brownell,	Hutchinson,	Stewart,
B. Clark,	Jewell,	Stockbridge,
Crane,	L. Kendrick,	Thompson,
Doty,	Lovell,	Wagner,
Eck,	Mason,	Walton,
Elliott,	McKernan,	Wendell,
Feamer,	Miller,	J. A. Williams,
Goodrich,	Milington,	W. D. Williams.

66

## NAYS.

Mr. Barker,	Mr. Kingsley,	Mr. Sheldon,
Blake,	Klein,	Slayton,
Boggs,	Lane,	Smith,
G. G. Briggs,	Lee,	Snell,
Camron,	McCowan,	Stannard,
O. Clark,	Miles,	Swift,
Cogswell,	Mitchell,	Tenne,
Davis,	Murray,	Vowles,
Eaton,	Newman,	Ward,

Fuller,	Norton,	Weier,
Gay,	Plimpton,	Westover,
Gifford,	Purcell,	White,
Holt,	Riopelle,	Wilcox,
Huston,	Romeyn,	H. G. Williams,
Ingersoll,	Rowlson,	Woodard,
F. G. Kendrick,	Sanford,	Yawkey. 48

The joint resolution was, therefore, in the judgment of the House, passed.

The title and preamble were agreed to.

Mr. Miles moved that the joint resolution be ordered to take immediate effect.

Which motion did not prevail.

On motion of Mr. Horton,

The House took a recess until three o'clock this afternoon.

#### AFTERNOON SESSION.

3 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

The Speaker called the Speaker *pro tem.* to the Chair.

The House resumed business under the order of

#### THIRD READING OF BILLS.

House joint resolution No. 20, entitled

Joint resolution instructing the Senators and Representatives of the State of Michigan, in Congress, relative to the Indian reservation,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Holt,	Mr. Sanford,
Avery,	Horton,	Shaw,
Barnaby,	Hubbard,	Sheldon,
Baxter,	Hunt,	Shier,
Beall,	Hurlbut,	Sickels,
Blake,	Hutchinson,	Slayton,
Bostwick,	Ingersoll,	Smith,
Boynton,	Jewell,	Snell,
G. G. Briggs,	L. Kendrick,	Stannard,
Brownell,	F. G. Kendrick,	Stewart,

Cameron,	Kingsley,	Stockbridge,
B. Clark,	Klein,	Swift,
O. Clark,	Lovell,	Ternes,
Cogshall,	Mandigo,	Thompson,
Crane,	Mason,	Wagner,
Crossman,	McCowen,	Walton,
Davis,	McKernan,	Ward,
Doty,	Miles,	Weier,
Eaton,	Miller,	Westover,
Eck,	Millington,	White,
Elliott,	Mitchell,	Wilcox,
Fenner,	Murray,	H. G. Williams,
Fuller,	Newman,	J. A. Williams,
Gay,	Plimpton,	W. D. Williams,
Gifford,	Purcell,	Woodard,
Goodrich,	Putnam,	Yawkey,
Grant,	Romeyn,	Speaker, <i>pro tem.</i>
Hartson,	Rowlson,	83

NAYS.

0

Title and preamble agreed to.

House bill No. 157, entitled

A bill to authorize the township of Swan Creek, in the county of Saginaw, to aid in the construction of a bridge across the Tittabawassee river, in said county, by issuing the bonds of said township, and to provide for the payment thereof,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Hartson,	Mr. Rowlson,
Avery,	Holt,	Shaw,
Barnaby,	Hubbard,	Sheldon,
Baxter,	Hunt,	Shier,
Beall,	Hurlbut,	Sickels,
Blake,	Hutchinson,	Slayton,
Bostwick,	Ingersoll,	Smith,
Boynnton,	Jewell,	Snell,
G. G. Briggs,	L. Kendrick,	Stannard,
Brownell,	F. G. Kendrick,	Stewart,
Cameron,	Kingsley,	Stockbridge,
B. Clark,	Klein,	Swift,
O. Clark,	Lane,	Ternes,
Cogshall,	Lovell,	Thompson,
Crane,	Mandigo,	Wagner,

Crossman,	Mason,	Waltan,
Davis,	McCowan,	Ward,
Doty,	McKarnan,	Weier,
Eaton,	Miles,	Westover,
Eck,	Miller,	White,
Elliott,	Millington,	Wilcox,
Fenner,	Mitchell,	H. G. Williams,
Fuller,	Murray,	W. D. Williams,
Gay,	Newman,	Woodard,
Gifford,	Plimpton,	Yawkey,
Goodrich,	Purcell,	Speaker <i>pro tem.</i>
Grant,	Putnam,	80
	NAYS.	0

Title agreed to.

Mr. Plimpton asked and obtained leave of absence for Messrs. Riopelle and Seward for an indefinite time.

House bill No. 156, entitled

A bill to amend section 2871, of the compiled laws of this State,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. Hurlbut,

The bill was recommitted to the committee on judiciary.

Senate bill No. 45, entitled

A bill to organize the township of Colfax, in the county of Oceana,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Hartson,	Mr. Romagn,
Avery,	Holt,	Rowson,
Barnaby,	Horton,	Sanford,
Baxter,	Hubbard,	Shaw,
Beall,	Hunt,	Shelden,
Blake,	Hurlbut,	Stier,
Bostwick,	Hutchinson,	Sickels,
Boynton,	Ingersoll,	Stayton,
G. G. Briggs,	Jewell,	Snell,
Brownell,	L. Kendrick,	Stannard,
Cameron,	F. G. Kendrick,	Stewart,
B. Clark,	Kingsley,	Stockbridge,

O. Clark,	Klein,	Swift,
Cogshall,	Lane,	Tarnes,
Crane,	Lovell,	Thompson,
Crossman,	Mandigo,	Wagner,
Davis,	Mason,	Walton,
Doty,	McCowen,	Ward,
Eaton,	McKernan,	Weier,
Eck,	Miles,	Westover,
Elliott,	Miller,	White,
Fenner,	Mitchell,	Wileox,
Fuller,	Murray,	H. G. Williams,
Gay,	Newman,	J. A. Williams,
Gifford,	Plimpton,	W. D. Williams,
Goodrich,	Parcell,	Woodard,
Grant,	Putnam,	Speaker pro tem.

81

NAYS.

0

Title agreed to.

On motion of Mr. Fuller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 74, entitled

A bill to change the name of the township of Reed, Oceana county, to that of Ferry,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Horton,	Mr. Rowleson,
Avery,	Hubbard,	Sanford,
Barnaby,	Hunt,	Shaw,
Baxter,	Hurlbut,	Sheldon,
Beall,	Hutchinson,	Shier,
Bostwick,	Ingersoll,	Sickels,
Boynton,	Jewell,	Slayton,
G. G. Briggs,	L. Kendrick,	Snell,
Brownell,	F. G. Kendrick,	Stannard,
Cameron,	Kingsley,	Stewart,
B. Clark,	Klein,	Stockbridge,
O. Clark,	Lane,	Swift,
Cogshall,	Lovell,	Tarnes,
Crane,	Mandigo,	Thompson,
Crossman,	Mason,	Wagner,
Davis,	McCowen,	Walton,

Doty,  
Eaton,  
Eck,  
Elliott,  
Fenner,  
Fuller,  
Gay,  
Gifford,  
Goodrich,  
Grant,  
Hartson,  
Holt,

McKernan,  
Miles,  
Miller,  
Millington,  
Mitchell,  
Murray,  
Newman,  
Norton,  
Purcell,  
Putnam,  
Romeyn,

Ward,  
Weier,  
Westover,  
White,  
Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker, *pro tem.*

82

NAYS.

0

Title agreed to.

On motion of Mr. Fuller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 34, entitled

"A bill to create a soldiers' aid fund for disabled Michigan soldiers, sailors and marines, and Michigan men who have served in the late war in other State organizations, or in the forces of the United States,

Was read a third time and passed; a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Beall,  
Bostwick,  
Boynton,  
G. G. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Crosman,  
Davis,  
Doty,  
Eaton,

Mr. Hartson,  
Holt,  
Horton,  
Hubbard,  
Hunt,  
Hurlbut,  
Hutchinson,  
Ingersoll,  
Jewell,  
L. Kendrick,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lane,  
Lovell,  
Mandigo,  
Mason,

Mr. Norton,  
Romeyn,  
Rowlson,  
Sanford,  
Shaw,  
Sheldon,  
Shier,  
Sickels,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Wagner,  
Walton,

Eck,	McCowen;	Ward,
Elliott,	McKernan,	Weier,
Fenner,	Miles,	White,
Fuller,	Miller,	H. G. Williams,
Gay,	Millington,	J. A. Williams,
Gifford,	Mitchell,	W. D. Williams,
Goodrich,	Murray,	Woodard,
Grant,	Newman,	Speaker, <i>pro tem.</i>

75

NAYS.

0

Mr. Miles moved to amend the title by adding thereto the following: "And to repeal act No. 81, session laws of 1863, entitled an act for the relief of sick, disabled and needy soldiers, approved February 18, 1863; also, act No. 26, session laws of 1867, being an act to provide a temporary home for disabled Michigan soldiers, approved March 8, 1867; also, act No. 114, session laws of 1867, entitled an act to provide a soldiers' permanent home commission, and to define its duties, approved March 26, 1867; also, act No. 228, session laws of 1865, being an act making an appropriation for the soldiers' relief fund;"

Which was agreed to.

The title, as amended, was agreed to.

On motion of Mr. G. G. Briggs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 153, entitled

A bill to authorize the Auditor General to issue a new tax deed, in place of one lost,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Holt,	Mr. Romeyn,
Avery,	Horton,	Rowson,
Barnaby,	Hubbard,	Sanford,
Baxter,	Hurlbut,	Shaw,
Beall,	Hutchinson,	Sheldon,
Bostwick,	Ingersoll,	Shier,
Boynton,	Jewell,	Sickels,
Brownell,	L. Kendrick,	Snell,

Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Davis,  
Doty,  
Eaton,  
Eck,  
Elliott,  
Fenner,  
Fuller,  
Gay,  
Gifford,  
Goodrich,  
Grant,  
Harrison,

F. G. Kendrick,  
Kingsley,  
Klein,  
Lane,  
Lovell,  
Mandigo,  
Mason,  
McCowan,  
McKernan,  
Miles,  
Millington,  
Mitchell,  
Murray,  
Newman,  
Plimpton,  
Putnam,

Stannard,  
Stewart,  
Stockbridge,  
Ternes,  
Thompson,  
Wagner,  
Walton,  
Ward,  
Weier,  
White,  
Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Speaker *pro tem.*  
72

#### NAYS.

Mr. Ward moved to amend the title so that it should read: "A bill to authorize the Auditor General to issue new tax deeds in place of those lost;"

Which motion prevailed.

The title as amended, was agreed to.

House bill No. 151, entitled

A bill to legalize the action of the electors of the township of Romulus, in the county of Wayne, in their having voted to refund moneys paid or advanced by them for the payment of bounties to volunteers, who enlisted to fill the quota of said township under the last call of the president,

Was read a third time and passed; a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,  
Barnaby,  
Baxter,  
Beal,  
Bostwick,  
Boynton,  
G. G. Briggs,  
Cameron,  
B. Clark,  
O. Clark,

Mr. Horton,  
Hunt,  
Hurlbut,  
Hutchinson,  
Jewell,  
L. Kendrick,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lane,

Mr. Rowison,  
Sanford,  
Shaw,  
Sheldon,  
Sickels,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,



Cogshall,	Mandigo,	Thompson,
Crane,	Mason,	Wagner,
Davis,	McCowen,	Walton,
Doty,	McKernan,	Ward,
Eaton,	Miles,	Weier,
Eck,	Millington,	White,
Elliott,	Mitchell,	Wilcox,
Fenner,	Murray,	H. G. Williams,
Fuller,	Newman,	J. A. Williams,
Gay,	Plimpton,	W. D. Williams,
Gifford,	Putnam,	Woodard,
Grant,	Romeyn,	Speaker <i>pro tem.</i>
Hartson,		67

NAYS.

Mr. Goodrich, Mr. Hubbard, Mr. Lovell, 3

Title agreed to.

House bill No. 150, entitled

A bill to provide for the payment of Porter L. Swords, of the city of Adrian, Lenawee county, for furnishing money to certain volunteers credited to the township of Woodstock, in said county, to aid in the suppression of the rebellion,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Grant moved to amend the bill by inserting after the word "tax," in line 3 of section two, "to pay Porter L. Swords."

Which was not agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Hartson,	Mr. Rowison,
Avery,	Horton,	Shaw,
Baxter,	Hubbard,	Sheldon,
Beall,	Hunt,	Sickels,
Blake,	Hurlbut,	Slayton,
Bostwick,	Hutchinson,	Snell,
Boynnton,	Jewell,	Stannard,
G. G. Briggs,	F. G. Kendrick,	Stewart,
Brownell,	Kingsley,	Stockbridge,
Cameron,	Lane,	Swift,
B. Clark,	Mason,	Tarnes,
O. Clark,	McCowen,	Vowles,

Cogshall,  
Crane,  
Crossman,  
Doty,  
Eaton,  
Eck,  
Elliott,  
Fuller,  
Goodrich,  
Grant,

McKernan,  
Miles,  
Millington,  
Mitchell,  
Newman,  
Norton,  
Plimpton,  
Putnam,  
Romeyn,

Wagner,  
Walton,  
Weier,  
Westover,  
Wilcox,  
H. G. Williams,  
J. A. Williams,  
Woodard,  
Speaker, *pro tem.*

64

## NAYS.

Mr. Murray,

1

Title and preamble agreed to.

On motion of Mr. Baxter,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 118, entitled

A bill to amend section 1, of act No. 141, of the session laws of 1859, approved February 12, 1859, entitled an act to amend chapter 46, of the revised statutes of 1846 entitled of "timber and lumber floating upon waters, or carried upon adjoining lands," being section 1599, of the compiled laws, as amended,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,

Mr. Grant,

Mr. Rowlson,

Avery,

Hartson,

Shaw,

Barnaby,

Horton,

Sheldon,

Baxter,

Hubbard,

Sickels,

Blake,

Hunt,

Slayton,

Bostwick,

Hurlbut,

Stannard,

G. G. Briggs,

Hutchinson,

Stewart,

Cameron,

F. G. Kendrick,

Stockbridge,

B. Clark,

Kingsley,

Swift,

O. Clark,

Lane,

Ternes,

Cogshall,

McCowen,

Vowles,

Crane,

McKernan,

Wagner,

Crossman,

Miles,

Walton,

Davis,

Millington,

Weier,

Doty,

Mitchell,

Wendell,

Eaton,

Murray,

Wilcox,

Eck,

Newman,

H. G. Williams.

Elliott,	Norton,	J. A. Williams,
Fenner,	Plimpton,	W. D. Williams,
Fuller,	Putnam,	Woodard,
Goodrich,	Romeyn,	Speaker, <i>pro tem.</i>

63

## NAYS.

Mr. Boynton,	Mr. Brownell,	Mr. Jewell,	3.
--------------	---------------	-------------	----

Title agreed to.

House bill No. 146, entitled

A bill to change the time of holding probate court, in the county of Leelanaw,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Hartson,	Mr. Romeyn,
Avery,	Horton,	Rowlson,
Barnaby,	Hubbard,	Shaw,
Baxter,	Hunt,	Sheldon,
Blake,	Hurlbut,	Sickels,
Bostwick,	Hutchinson,	Snell,
G. G. Briggs,	Jewell,	Stannard,
Brownell,	F. G. Kendrick,	Stewart,
Cameron,	Kingsley,	Stockbridge,
B. Clark,	Lane,	Swift,
O. Clark,	Lovell,	Ternes,
Crane,	McCowen,	Vowles,
Crossman,	McKernon,	Wagner,
Davis,	Miles,	Walton,
Doty,	Miller,	Ward,
Eaton,	Millington,	Wendell,
Eck,	Mitchell,	Wilcox,
Elliott,	Murray,	H. G. Williams,
Fenner,	Newman,	W. D. Williams,
Fuller,	Norton,	Woodard,
Goodrich,	Plimpton,	Speaker <i>pro tem.</i>
Grant,	Putnam,	65

## NAYS.

0

Mr. Miles moved to amend the title by striking out the word "change," and inserting the word "fix" in lieu thereof.

Which motion prevailed.

The title, as amended, was agreed to.

The Sergeant-at-Arms announced the Private Secretary of the

Governor, who transmitted to the House a message from his Excellency the Governor, in writing.

House bill No. 149, entitled

A bill to provide for the laying out and establishing a State road from Caro to Hurd's Corners, in Tuscola county,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Romeyn moved that there be a call of the House.

Which motion prevailed.

On motion of Mr. Swift,

All proceedings under the call were dispensed with.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Hunt,	Mr. Sanford,
Avery,	Hurlbut,	Shaw,
Barnaby,	Hutchinson,	Sheldon,
Baxter,	Ingersoll,	Sickles,
Blake,	Jewell,	Smith,
Bostwick,	L. Kendrick,	Snell,
Brownell,	F. G. Kendrick,	Stannard,
Cameron,	Kingsley,	Stewart,
B. Clark,	Klein,	Stockbridge,
O. Clark,	Lane,	Swift,
Cogahall,	Lovell,	Ternes,
Crane,	McCowan,	Thompson,
Davis,	McKernan,	Vowles,
Doty,	Miles,	Wagner,
Eaton,	Miller,	Walton,
Eck,	Millington,	Ward,
Fenner,	Mitchell,	Wendell,
Fuller,	Murray,	White,
Gay,	Newman,	Wilcox,
Gifford,	Norton,	H. G. Williams,
Goodrich,	Plimpton,	J. A. Williams,
Grant,	Purcell,	W. D. Williams,
Hartson,	Putnam,	Woodard,
Horton,	Romeyn,	Yawkey,
Hubbard,	Rowison,	Speaker, <i>pro tem.</i>

75

#### NAYS.

0

Title agreed to.

On motion of Mr. McKernan,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 148, entitled

A bill to provide for laying out and establishing a State road in Eaton, Ingham and Jackson counties, and opening the same;

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Cogshall moved to amend by adding the word "situated" at the end of line 2, section 3,

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Hubbard,	Mr. Bowles,
Avery,	Hant,	Sanford,
Barnaby,	Huribut,	Shaw,
Baxter,	Hutchinson,	Sheldon,
Bostwick,	Ingersoll,	Sickels,
Brownell,	Jewell,	Smith,
Cameron,	L. Kendrick,	Snell,
B. Clark,	F. G. Kendrick,	Stannard,
O. Clark,	Kingsley,	Stewart,
Cogshall,	Klein,	Stockbridge,
Crane,	Lane,	Terns,
Croesman,	Lowell,	Thompson,
Davis,	Mandigo,	Vowles,
Doty,	McGowan,	Wagner,
Eaton,	McKernan,	Walton,
Hick,	Miles,	Ward,
Fennema,	Miller,	Wendell,
Fraser,	Millington,	White,
Gay,	Mitchell,	Wilcox,
Gifford,	Murray,	H. G. Williams,
Goodrich,	Newman,	J. A. Williams,
Grant,	Norton,	W. D. Williams,
Hartson,	Purcell,	Woodard,
Holt,	Putnam,	Yawkey,
Horton,	Romaya,	Speaker, <i>pro tem.</i>

75

#### NAYS.

Mr. Elliott.

1

Title agreed to.

On motion of Mr. Thompson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 147, entitled,

A bill authorizing the building of a dam across Norris Creek, in Muskegon county,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. McKernan,

The bill was laid on the table.

Senate bill No. 59, entitled

A bill to amend section 59, of chapter 90, of the revised statutes of 1846, being section 3513, of the compiled laws, relative to the powers, limits and jurisdiction of the circuit courts,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Horton,	Mr. Romeyn,
Barnaby,	Hubbard,	Rowlson,
Baxter,	Hunt,	Sanford,
Beall,	Hurlbut,	Shaw,
Blake,	Hutchinson,	Sheldon,
Bostwick,	Ingersoll,	Sickels,
Cameron,	L. Kendrick,	Smith,
B. Clark,	F. G. Kendrick,	Snell,
O. Clark,	Kingsley,	Stannard,
Cogshall,	Klein,	Stewart,
Crane,	Lane,	Stockbridge,
Crossman,	Lovell,	Ternes,
Davis,	Mandigo,	Thompson,
Doty,	McCowen,	Vowles,
Eaton,	McKernan,	Wagner,
Eck,	Miles,	Walton,
Elliott,	Miller,	Ward,
Fenner,	Millington,	Weier,
Fuller,	Mitchell,	White,
Gay,	Murray,	Wilcox,
Gifford,	Newman,	H. G. Williams,
Goodrich,	Norton,	W. D. Williams,
Grant,	Plimpton,	Woodard,

Hartson,  
Holt,

Purcell,  
Putnam,

Yawkey,  
Speaker, *pro tem.*

75

NAYS.

0

Title agreed to.

## MOTIONS AND RESOLUTIONS.

Mr. Miles moved to discharge the committee of the whole from the further consideration of House bill No. 219, entitled

A bill to detach sections 1, 2, 11, 12, 13, 14, and fractional sections 23 and 24, and all that part of sections 3, 10, 15, 20 and 22, which lies east of the St. Joseph river, and all being in township No. 8 south, range 17 west, and attach the same to the township of Bertrand;

Which motion prevailed.

On motion of Mr. Plimpton,

The bill was placed upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Cogahall,  
Crane,  
Crossman,  
Davis,  
Doty,  
Eaton,  
Eck,  
Elliott,  
Fenner,  
Fuller,  
Gay,

Mr. Hubbard,  
Hunt,  
Hurlbut,  
Hutchinson,  
Ingersoll,  
L. Kendrick,  
F. G. Kendrick,  
Kingsaley,  
Klein,  
Lane,  
Lovell,  
Mandigo,  
McCowen,  
McKernan,  
Miles,  
Miller,  
Millington,  
Mitchell,  
Murray,  
Newman,  
Norton,

Mr. Shaw,  
Sheldon,  
Shier,  
Sickels,  
Smith,  
Stannard,  
Stewart,  
Stockbridge,  
Ternes,  
Thompson,  
Vowles,  
Wagner,  
Walton,  
Ward,  
Weier,  
Wendell,  
Westover,  
White,  
Wilcox,  
H. G. Williams,  
J. A. Williams,

Gifford,  
Goodrich,  
Grant,  
Holt,  
Horton,

Plimpton,  
Pursell,  
Romeyn,  
Rowison,  
Sanford,

W. D. Williams,  
Woodard.  
Yawkey,  
Speaker *pro tem.*,

77

NAYS.

0

Title agreed to.

On motion of Mr. Plimpton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Stockbridge offered the following:

*Resolved*, That as by a vote of this House the Auditor General was called upon to furnish this House with a statement of the internal improvement account, and as the same has been prepared and is now ready to be printed, and as the said document will be of great value; therefore

*Resolved*, That the publication of 500 copies be hereby ordered.

Which was adopted.

Mr. Norton moved to discharge the committee of the whole from the further consideration of House bill No. 130, entitled

A bill to provide for the draining of swamps, marshes, and other low lands.

Which motion prevailed.

On motion of Mr. Baxter,

The bill was made the special order for to-morrow afternoon at 2 o'clock.

Mr. Shaw moved to discharge the committee of the whole from the further consideration of Senate bill No. 82, entitled

A bill to amend sections 3, 4, 6, 10, 13, 16, 21, 52, 53, 54, 95, 99, 110, 111, 112, 113, 114, 115, 128, 129 and 130, of an act entitled "An act to revise the charter of the city of Adrian," approved March 21, 1865,

Which motion prevailed.

On motion of Mr. Baxter,

The bill was placed on its immediate passage.



The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Horton,	Mr. Romeyn,
Barnaby,	Hubbard,	Rowlson,
Baxter,	Hunt,	Sanford,
Beall,	Hurlbut,	Shaw,
Blake,	Hutchinson,	Sheldon,
Bostwick,	Ingersoll,	Shier,
Boynton,	Jewell,	Sickels,
G. G. Briggs,	L. Kendrick,	Smith,
Brownell,	F. G. Kendrick,	Stannard,
Cameron,	Kingsley,	Stewart,
B. Clark,	Klein,	Stockbridge,
O. Clark,	Lane,	Ternes,
Cogshall,	Lovell,	Thompson,
Crane,	Mandigo,	Vowles,
Crossman,	McCowen,	Wagner,
Davis,	McKernan,	Walton,
Doty,	Mead,	Ward,
Eaton,	Miles,	Weier,
Eck,	Miller,	Wendell,
Elliott,	Millington,	White,
Fenner,	Mitchell,	Wilcox,
Fuller,	Murray,	H. G. Williams,
Gay,	Newman,	J. A. Williams,
Gifford,	Norton,	W. D. Williams,
Goodrich,	Purcell,	Yawkey,
Grant,	Putnam,	Speaker, <i>pro tem</i> ,
Holt,		79

## NAYS.

0

Title agreed to.

On motion of Mr. Baxter,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Cogshall moved to take from the table Senate bill No. 11, entitled

A bill to amend section 5654 of the compiled laws, being section 18, of chapter 150, title 24, of the revised statutes of 1846, relative to the fees of jurors;

Which motion prevailed.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Purcell moved to amend, by inserting in line 13, after the word "supervisors," the words "and the board of county auditors of Wayne county."

Mr. Miles moved that the House adjourn;

Which motion did not prevail.

The amendment was agreed to.

Mr. Romeyn moved to further amend, by striking out in line 8, of section 1, the word "fifty," and inserting "twenty-five" in lieu thereof;

Which was not agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Hubbard,	Mr. Sanford,
Barnaby,	Hunt,	Shaw,
Baxter,	Hurlbut,	Sheldon,
Beall,	Hutchinson,	Shier,
Blake,	Ingersoll,	Sickels,
Boynnton,	Jewell,	Smith,
G. G. Briggs,	L. Kendrick,	Snell,
Cameron,	Kingsley,	Stannard,
B. Clark,	Klein,	Stewart,
O. Clark,	Lane,	Stockbridge,
Cogahall,	Lovell,	Ternes,
Crane,	McKernan,	Vowles,
Crossman,	Mead,	Wagner,
Davis,	Miles,	Walton,
Doty,	Miller,	Ward,
Eck,	Mitchell,	Wendell,
Elliott,	Newman,	Wilcox,
Fenner,	Norton,	H. G. Williams,
Fuller,	Purcell,	J. A. Williams,
Gifford,	Putnam,	W. D. Williams,
Goodrich,	Rowlson,	Speaker, <i>pro tem.</i>
Grant,		64

#### NAYS.

Mr. Eaton,	Mr. Millington,	Mr. Weier,
Holt,	Plimpton,	White,
F. G. Kendrick,	Romeyn,	Yawkey,
McCowen,		

Title agreed to.

Mr. Baxter moved that Senate manuscript bill, entitled

A bill to organize the township of Clinton, in the county of Lenawee,

Which passed the House yesterday, be ordered to take immediate effect.

The bill was so ordered by a vote of two-thirds of all the members elect.

Mr. Miles moved to discharge the committee of the whole from the further consideration of Senate bill No. 125, entitled

A bill to organize the township of Oscoda, in Iosco county;

Which motion prevailed.

On motion of Mr. Miles,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Boynton,  
G. G. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Davis,  
Doty,  
Eaton,  
Eck,  
Elliott,  
Fenner,  
Fuller,  
Gay,  
Gifford,

Mr. Horton,  
Hubbard,  
Hunt,  
Hurlbut,  
Hutchinson,  
Ingersoll,  
Jewell,  
L. Kendrick,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lane,  
Lovell,  
McCowen,  
McKernan,  
Mead,  
Miles,  
Miller,  
Millington,  
Mitchell,  
Murray,  
Norton,

Mr. Putnam,  
Romeyn,  
Rowison,  
Sanford,  
Shaw,  
Sheldon,  
Shier,  
Siekela,  
Smith,  
Stannard,  
Stewart,  
Stockbridge,  
Ternes,  
Vowles,  
Walton,  
Weier,  
Wendell,  
Westover,  
Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,

Grant,  
Holt,

Plimpton,  
Purcell,

Yawkey,  
Speaker, *protem*.

72

NAYS.

0

Title agreed to.

On motion of Mr. Miles,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Ingersoll offered the following:

*Resolved by the House of Representatives, (the Senate concurring,) That the acts passed by the Legislature of the State of Michigan, at the session of 1869, shall be so printed as to be bound in two volumes, the first volume to contain all acts of a general nature, joint and concurrent resolutions, and the second volume to contain the charters and amendments to charters of municipalities, and other acts of a local character.*

Laid on the table for one day, under the rules.

Mr. Stockbridge offered the following:

*Resolved, That the use of the hall of the House of Representatives be tendered to the Hon. Z. R. Brockway, of Detroit, on Thursday evening next, for the purpose of delivering a lecture upon "Prison Discipline," pursuant to an invitation previously extended to him;*

Which was adopted.

Mr. Yawkey moved to discharge the committee of the whole from the further consideration of Senate bill No. 52, entitled  
A bill to prevent injury to the navigation of Saginaw river.

Which motion prevailed.

On motion of Mr. Yawkey,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,

Mr. Horton,  
Hubbard,  
Hunt,  
Hurlbut,

Mr. Putnam,  
Romeyn,  
Rowlson,  
Sanford,

Beall,	Hutchinson,	Shaw,
Blake,	Ingersoll,	Sheldon,
Boynton,	Jewell,	Shier,
G. G. Briggs,	L. Kendrick,	Smith,
Brownell,	F. G. Kendrick,	Snell
Cameron,	Kingsley,	Stannard,
B. Clark,	Klein,	Stewart,
Cogshall,	Lane,	Stockbridge,
Crane,	Lovell,	Ternes,
Crossman,	Mason,	Thompson,
Davis,	McCowan,	Vowles,
Doty,	McKernan,	Walton,
Eaton,	Mead,	Weier,
Eck,	Miles,	Westover,
Elliott,	Miller,	White,
Fenner,	Millington,	Wilcox,
Fuller,	Mitchell,	H. G. Williams,
Gay,	Murray,	J. A. Williams,
Gifford,	Newman,	W. D. Williams,
Grant,	Norton,	Woodard,
Hartson,	Plimpton,	Yawkey,
Holt,	Purcell,	Speaker, <i>pro temp.</i>

78

## NAYS.

Title agreed to.

On motion of Mr. Yawkey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Romeyn,

The House adjourned until to-morrow morning at 9 o'clock.

---

*Lansing, Wednesday, March 10, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Hickox.

Roll called: quorum present.

Absent without leave, Messrs. Davis, Horton, F. G. Kendrick, Lee, Sheldon and Stockbridge.

Mr. Ternes asked and obtained leave of absence for Mr. F. G. Kendrick, for an indefinite time, on account of sickness.

Mr. Gay asked and obtained leave of absence for Mr. Lee, until Tuesday next.

Mr. Blake asked and obtained leave of absence for Mr. Stockbridge, for an indefinite time, on account of sickness.

The messenger boys of the House, through Mr. Ashley, presented the Speaker of the House with a magnificently bound volume of the Holy Bible. The Speaker accepted the gift, with some feeling remarks to the donors.

The special messenger of the Clerk, also through Mr. Ashley, presented the Clerk with a full bound volume of a work entitled "The White Hills," by Thomas Starr King.

#### PRESSENTATION OF PETITIONS.

By Mr. Ternes: remonstrance of A. J. Linzee and 80 others, citizens of the township of Springwells, in the county of Wayne, against the appointment of a board for the improvement of Fort street, in the township of Springwells.

Referred to the committee on banks and incorporations.

By Mr. Millington: petition of the officers and directors of the First National Bank of Constantine, for the refunding of certain taxes paid into the State Treasury, under act No. 122, Laws of 1867.

Referred to the committee on ways and means.

By Mr. Wendell: petition of Joseph Negima, Paul Kawegomon and 106 others, tax payers of the county of Emmet, praying for the organization of the township of Middletown, in said county.

Referred to the committee on towns and counties.

#### REPORTS OF STANDING COMMITTEES.

By the committee on military affairs:

The committee on military affairs, to whom was referred the petition of Geo. W. Howe and 52 other citizens of Port Huron, praying for the passage of a law granting a State bounty of one hundred dollars to soldiers who enlisted in 1864; also, numerous other petitions, for the same purpose,

Respectfully report that they have had the same under con-

sideration, and have directed me to report the same back to the House, with the information that "A bill to amend and explain sections 8 and 9 of an act entitled 'An act authorizing the payment of bounties to volunteers in the service of the United States,'" approved February 5, 1864, has been considered by your committee, and was reported upon by them February, 22, last. They therefore ask to be discharged from the further consideration of the subject.

GEO. G. BRIGGS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Horton,

The petitions were laid on the table.

By the committee on State affairs:

The committee on State affairs, to whom was referred Senate bill No. 69, being

A bill to revise and consolidate the several acts relative to the protection of game, and for the better preservation of elk, deer, birds and wild fowl,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Cogshall,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

The following are the amendments:

1. Amend line 5, section 1, by striking out the written words, "or any other kind of ducks," and restoring the line as printed in the bill.

2. Amend line 3, section 4, by striking out the word "goose," and inserting in lieu thereof, the word "geese."

3. Amend line 4, section 5, by striking out the word "wild," where it occurs before the word "duck," and inserting in lieu thereof, the words "mallard, wood and teal."

4. Amend the bill by adding the following, to stand as section 9:

"Sec. 9. No person or persons shall use any gun or guns, or fire-arms, to maim, kill or destroy any wild pigeon or pigeons, at or within one-half mile of the place or places where they are gathered in bodies for the purpose of brooding their young, known as pigeon nestings; and no person or persons shall use any gun, guns or fire-arms, to maim, kill or destroy any wild pigeon or pigeons within their roostings, anywhere within the limits of this State; and every person so offending against this section, or any part thereof, shall be subject to a penalty of fifty dollars, with costs of suit."

5. Amend section ten, by striking out all after the word "not," in the first line, to and including the word "nor," in the third line, and inserting in lieu thereof, the word "apply."

By the committee on public lands:

The committee on public lands, to whom was referred

A bill appropriating swamp lands to aid in cutting drains from a point on Elk Creek, in the county of Sanilac, to a point on the Lexington and Lapeer State road, in Sanilac county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill appropriating swamp lands to aid in cutting drains from a point on Elk Creek, in the county of Sanilac, to a point on the Lexington and Lapeer State road, in Sanilac county,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, Jr., *Chairman.*

Report accepted and committee discharged.



On motion of Mr. H. G. Williams,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill asking an appropriation of State swamp lands, to aid in the construction of the Bridgeport and Flint river road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it be referred to the committee on the judiciary, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baxter,

The House concurred in the recommendation of the committee, and the bill was referred to the committee on the judiciary.

By the committee on public lands:

The committee on public lands beg leave to submit the following report, showing the amount of swamp lands granted to the State by Congress, the amount that has been sold, appropriated and selected as homesteads, and the balance remaining unappropriated for future use in drainage and reclamation, in accordance with the terms of the grant:

The number of acres in the original grant was 5,891,588.34. In order to find the amount remaining on hand, in the Lower Peninsula, of these lands, it will be necessary to deduct, in the first place, the amount of swamp lands in the Upper Peninsula from the original grant, and from the amount remaining take the number of acres sold, selected for homesteads, and appropriated for various purposes, and the balance, if any, will show how much remains unexpended and unappropriated. There was, in the counties of Chippewa, Delta, Houghton, Keweenaw,

Mackinac, Marquette, Menominee, Ontonagon and Schoolcraft, being the counties comprising the Upper Peninsula, 2,627,158.88 acres. Deduct this amount from the sum total of the original grant, to wit: 5,891,598.34, and it will leave a remainder of 3,264,439.96 acres, being the amount of the original grant in the Lower Peninsula.

There has been appropriated from these lands in the Lower Peninsula, many of which appropriations are not yet expended, according to tables four and five of the report of the Swamp Land State Road Commissioner, for the purpose of constructing roads and bridges, the sum of \$2,643,775 00, and for ditches and miscellaneous purposes, the sum of \$365,247 30, making the total amount expended in the Lower Peninsula for all purposes, \$3,000,022 30, which reduced to acres at \$1.25 per acre, would be 2,407,217 acres; deducting this sum from 3,264,439.96, the number of acres originally granted to the State in the Lower Peninsula, and we have a balance of 857,220.96 acres on hand. It will be remembered that the report of the committee on public lands in the Senate states the amount of lands remaining in the Lower Peninsula to be less than 100,000 acres; this result, however, was based by the Senate committee wholly upon the statement of Mr. Curtis. Your committee, however, have been wholly unable to find any such result, and either the Swamp Land State Road Commissioner or your committee must have made some great errors in their computations.

It must be remembered that in tables four and five of the Report of the Swamp Land Road Commissioner is included, or intended to be included, with the exception of a few slight errors, the whole amount that has been expended, either in lands or money, of the grant for any and all purposes whatever.

There must be deducted from the 857,220.96 acres above mentioned, the lands selected under the homestead acts. The total amount of such selection, as near as your committee has been able to ascertain the same, is about 225,000 acres in the Upper and Lower Peninsulas. Large amounts of this land have been

abandoned, and your committee are of the opinion that the number of acres selected as homesteads in the Lower Peninsula, and that have not been abandoned, will fall short of 200,000 acres, but in order to be safe, they have deemed it best to call it 200,000, which will leave still a balance of 657,220.96 acres. It will be seen, by reference to Mr. Curtis' report, above referred to, that he estimates for expenses of survey and local commissioners' fees \$383,081 04, which is equivalent to 306,464 84 acres, at ten shillings per acre. Mr. Curtis, since making the report above referred to, has informed your committee that five per cent. would cover the whole expense; that he had come to this conclusion upon a careful examination of the whole matter, which will reduce the number of acres for expenses to 153,232.42. Deducting this amount from 657,220.96, leaves a remainder of 503,988.54 acres. It has been almost the universal custom for the boards of supervisors to pay the expenses of the surveys and local commissioners' fees on the roads running through their respective counties, and we are of the opinion that the amount that has been paid for this kind of services is trifling indeed, and that pretty much the whole of the amount estimated for expenses is still on hand; but believing it best to be safe, and feeling conscious that the Legislature should use great care not to create any liability against the treasury, your committee have deducted the same.

Your committee are of the opinion that Mr. Curtis has made one other error in addition to his estimate for expenses which is this: There has been sold of these swamp lands some 450,000 acres, this Mr. Curtis deducted from the amount of lands, and treats it the same as so much lands expended, and adds it to his grand total, as shown by table five of his report. Now it must be remembered his report assumes to show the whole amount expended and appropriated for all purposes whatsoever. If this is true, then the products of this 450,000 acres has entered into his computation, and forms a part of his grand total of 2,407,217 acres, and should not be again taken into the amount. On the other hand, if these receipts for the sales of

these 450,000 acres are not included in the expenditures above referred to, the money should be in the treasury, and as these lands sold from \$1 25 to \$7 00 and \$8 00 per acre, there should be in the swamp land fund over a half million dollars in the treasury. We understand the amount in the treasury is about \$225,000, and we have no doubt the balance has gone into the various items mentioned by Mr. Curtis' report. If it has not, then it must be a loss to the State, if it has not been expended and is not in the treasury. Of the lands still remaining in the Lower Peninsula, there are 140,000 acres, a large proportion of which is valuable for its timber; in fact, it is among the most valuable pine lands in the State. A bill has been introduced into the Senate graduating the price, and bringing the same into market. It is thought safe to say \$3 50 per acre can and will be realized for this tract, which will equal 392,000 acres at \$1 25 per acre, as the 140,000 acres is included in the 866,908.58 acres above mentioned. The same should be deducted from the 392,000, which will leave 252,000 acres, at \$1 25, or what is equivalent to the same, add this amount to the 503,998.54 and we have remaining on hand, unappropriated, of the original grant, what is equivalent to 753,998.54 acres, at ten shillings per acre. We are confident it cannot fall short of this amount, feeling certain that the deduction of 153,232.42 for expenses is altogether too large, as those expenses have generally been paid by the counties, and we think our estimate too high under the Homestead act. Also some of these lands that are estimated by Mr. Curtis at \$1 25 per acre sold above that figure; and as his estimates are all based upon the minimum of \$1 25, it will be seen that his grand total will exceed the amount actually expended. Your committee deemed it proper to place the above facts before this House, at this time, in order that those interested might investigate the same. It must be evident that large appropriations of lands, and money derived from their sale can be made without incurring any danger of creating any liability against the treasury. Your committee are of the opinion that a careful

and thorough investigation will increase, rather than diminish, the conclusion at which your committee have come. The Legislature, however, must not forget that quite a large amount of the lands remaining unappropriated are nearly worthless, and if appropriations are to be made this fact should be kept in view. It is to be regretted that the books and records in connection with this swamp land grant should have been kept with so much negligence, and want of proper care, as it seems they have been.

All of which is respectfully submitted.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was recommended bill No. 140, entitled

A bill to repeal sections 1 and 2, of act No. 471, of session laws of 1867, and to amend section 3 of the said act,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cameron,

The House concurred in the amendment made to the bill by the committee.

The bill having been read a third time, and the question being upon its passage,

It was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Avery,  
Baxter,  
Beall,  
Blake,

Mr. Horton,  
Hubbard,  
Hunt,  
Hurlbut,

Mr. Shaw,  
Sheldon,  
Shier,  
Sickles,

Boynton,	Huston,	Slayton,
G. G. Briggs,	Hutchinson,	Smith,
R. V. Briggs,	Jewell,	Snell,
Brownell,	L. Kendrick,	Stannard,
Cameron,	Kingsaley,	Stewart,
B. Clark,	Klein,	Stockbridge,
O. Clark,	Lane,	Ternes,
Crane,	Lovell,	Vowles,
Crossman,	Mandigo,	Wagner,
Davis,	Mason,	Walton,
Doty,	McCowen,	Ward,
Eaton,	Mead,	Weier,
Eck,	Miles,	Wendell,
Elliott,	Miller,	Westover,
Fenner,	Millington,	White,
Fuller,	Mitchell,	Wilcox,
Gay,	Murray,	H. G. Williams,
Gifford,	Norton,	J. A. Williams,
Goodrich,	Plimpton,	W. D. Williams,
Grant,	Purcell,	Woodard,
Hartson,	Rowlson,	Speaker.
Holt,	Sanford,	

77

NAYS.

0

Mr. Shier moved to amend the title by inserting after "1867," the words, "entitled an act appropriating certain non-resident highway taxes, for the improvement of certain State roads, and providing for the construction and improvement thereof;"

Which motion prevailed.

The title as amended was agreed to.

On motion of Mr. Mitchell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on education:

The committee on education, to whom was referred

A bill to amend act No. 210, of the session laws of 1867, being "An act to authorize school district No. 8, of Antwerp and Porter, to issue bonds to build a school house,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do

pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

A bill to provide for the election of town superintendents of schools, and to amend certain sections of act No. 55, of session laws of 1867, in relation to county superintendents of schools,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman.*

Report accepted and committee discharged.

Mr. Miller moved that the bill be laid on the table;

Which motion did not prevail.

On motion of Mr. Baxter,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

A bill to revise sections number 74, 85, 86, 87, 88, 89, 90 and amend section 91, of chapter 78, of the compiled laws, being sections and parts of sections repealed by act No. 55, of the session laws of 1867, being an act to provide for county superintendents of schools, and to repeal act No. 55, of the session laws of 1867, relative to county superintendents of schools,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Acting Chairman.*

Report accepted and committee discharged.

Mr. G. G. Briggs moved that the bill be laid on the table;  
Which motion did not prevail.

On motion of Mr. Shaw,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to organize the township of Bryant, in the county of Montcalm,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to organize the county of Gladwin,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to detach certain territory from Saginaw county and attach the same to Bay county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to



the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to detach certain territory from the city of East Saginaw, and annex the same to the township of Spalding, in the county of Saginaw,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Lane,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the Asylum for the Insane:

The committee on the Asylum for the Insane, to whom was referred so much of the Governor's message as relates to that institution, and who were authorized, with a like committee from the Senate, to visit the asylum as a joint committee, have performed the duties assigned them, and have directed us to make the following report:

The polite and gentlemanly officers of the institution conducted us through every portion of the asylum proper, and also of the outbuildings. We found everything in perfect order; in fact, order and cleanliness seems to be the rule throughout the asylum.

There is an appearance of quiet and comfort among the patients that is surprising, and which would lead one to think that it was a quiet and comfortable home for invalids, rather

than an asylum for that most terrible of all diseases, insanity. This is partly owing, no doubt, to the many sources of amusement provided for them, and which must also greatly conduce to their restoration to health.

It is hardly necessary to say anything further in regard to the management of that humane institution. With Dr. Van Deusen as its superintendent, it has become the model institution of the country, and we should all feel a pride in our worthy superintendent, who stands equal to, if not ahead of all his profession.

But comment and ceremony are unnecessary to convince you that the management and objects of this institution are worthy of your highest consideration, and that all money asked for to improve and maintain said asylum will be well expended.

For a detailed statement of the conditions and wants of the asylum, we refer you to the report of the superintendent and trustees, recommending that such appropriations be made as may be reasonably necessary to enable its officers so to manage its affairs as that it may realize the just expectations of those who so nobly provided, in the very infancy of our State, for the comfort and care, if not the ultimate cure, of those unfortunate ones who, from whatever cause, had become bereft of their reason.

All of which is respectfully submitted.

E. J. BONINE,

*Chairman Senate Com. Asylum of the Insane.*

J. W. MANDIGO,

*Chairman House Com. Asylum of the Insane.*

Report accepted.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to legalize the action of a special township meeting of the township of Onondaga, Ingham county, held February 6, 1869, in locating the site of a bridge across Grand river, in said township,

Respectfully report that they have had the same under con-

sideration, and have directed me to report the same back to the the House, with the accompanying substitute therefor, entitled

A bill to legalize the action of a special township meeting of the township of Onondaga, Ingham county, held February 6, 1869, in locating the site of a bridge across Grand river, in said township,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Smith,

The House concured in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to provide for laying out and establishing a State road in the counties of Macomb and St. Clair,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend section 49, of an act entitled "an act to provide for the incorporation of railroad companies," approved February 12, 1855, being section 1993 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 84, entitled

A bill to create and regulate water companies,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

Mr. Crossman, by unanimous consent, offered the following:

*Resolved*, That Senate bill No. 84, entitled

"A bill to create and regulate water companies;"

House bill No. 185, entitled

"A bill to authorize the formation of companies for the introduction of water into towns, cities and villages, in the State of Michigan;"

And, House bill No. 187, entitled

"A bill to authorize the formation of companies for the construction of water works in and for cities and villages, to authorize such cities and villages to subscribe stock in such companies, and to issue and sell bonds, and levy taxes for the payment thereof,"

All relating to the same subject, and seeking to accomplish the same object, be referred to a special joint committee, consisting of three from the House and two from the Senate, and

that the committee of the whole be discharged from the further consideration, at this time, of all of said bills;

Which was adopted.

The Speaker announced as such committee, on the part of the House, Messrs. Crossman, Slayton and Romeyn.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the city of Kalamazoo;

Also, several petitions and remonstrances upon the same subject,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to incorporate the city of Kalamazoo;

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Wilcox,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. Stannard,

The rules were suspended, and the bill was placed on the order of third reading.

The petitions and remonstrances were laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 105, entitled

A bill to incorporate the village of Petersburg;

Also: remonstrance of Horace Hill, James T. Ellis and 78 others, citizens of Petersburg and vicinity against the passage of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to

the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

D. L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

The bills were printed, referred to the committee of the whole, and placed on the general order.

The remonstrance was laid on the table.

By the committee on federal relations:

The committee on federal relations, to whom was referred

Joint resolution, asking Congress for aid to secure the construction of a railroad under the Detroit river,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

G. W. SWIFT, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE,  
Lansing, March 8, 1869. }

To the House of Representatives:

I have this day approved, signed and deposited in the office of the Secretary of State:

An act to define the boundaries of certain school districts in the township of Ishpeming, in the county of Marquette;

Also,

An act to enable the Jackson, Lansing and Saginaw railroad company to change the northern terminus of its railroad to some point on Lake Superior, without prejudice to its rights, and to prescribe the time for the completion of the said road;

Also,

An act to legalize the tax roll of the township of Hancock, in the county of Houghton, for the year 1868, and to extend the time for the collection of taxes in the same;

Also,

An act to incorporate the village of Augusta, in the county of Kalamazoo;

Also,

An act to regulate the size of dry, or packing barrels, for fruits, roots, and vegetables;

Also,

An act to organize the township of Meade, in the county of Huron;

Also,

An act to legalize the tax rolls of the townships of Raisin, Ridgeway, Riga, Palmyra, Dover, Rollin, Franklin and Adrian, in Lenawee county, for the year 1866, and the proceedings of the board of supervisors and of the drainage commissioners of said county of Lenawee, pertaining thereto;

Also,

Joint resolution for the relief of Theron Ford and Wm. H. Haze;

Also,

Joint resolution ratifying the proposed amendment to the Constitution of the United States.

HENRY P. BALDWIN.

The message was laid on the table.

COMMUNICATIONS FROM STATE OFFICERS.

The Speaker announced the following:

MICHIGAN STATE LAND OFFICE, }  
Lansing, March 9th, 1869. }

*To the Hon. House of Representatives:*

GENTLEMEN: I have the honor to acknowledge the receipt of a copy of the following resolutions, to-wit:

*Resolved*, That the Commissioner of the State Land Office be requested to report to this House the number of acres of State

swamp land that has been selected as homesteads, and sold under the act of 1858, upon part payment, giving the amount of each, separately;

*Resolved*, That the Commissioner of the State Land Office be and he is hereby requested to transmit to this House information upon the following subjects, to wit:

1. Does section 16, in town 54 north, of range 34 west, belong to this State?

2. Was not said land within the mineral range, so called, and reserved from sale by the laws of this State?

3. If said land has been sold, by what authority was it done; who was the purchaser, and for what price, and upon what terms was it sold? and any and all particulars in regard to the sale and transfer of said land within his knowledge;

In the absence of the Commissioner I would respectfully submit the following:

1. Total number of acres sold for cash as shown by reports to Dec. 1st, 1868,..... 448,568.68

Total number of acres licensed, as shown by reports

to Dec. 1st, 1868,..... 242,681.75

Total number of acres,..... 691,250.43

2. On the 8th day of October, 1867, Simeon Mandelbaum, of Wayne county, Michigan, applied to purchase, with cash, the entire section 16, town 54 north, range 34 west. Said description of land showed on the plat books of this office to be vacant State land, and was accordingly sold to said Simeon Mandelbaum, he paying cash for the same, four dollars per acre, and a State patent for the above described land was issued to said Mandelbaum at the same date. Subsequent to the sale being made to said Mandelbaum, it was found to be mineral State land, and had been so reserved and held by the State; but the plat book not showing the reservation, the error was made in thus selling the land. Since the date of purchase of this land, by proclamation of Gov. Crapo, the sale was declared canceled, and patent demanded to be surrendered, and it is so



noted on the plat book in this office. The patent has not yet been surrendered, and I am informed that the Commissioner has instituted a suit at law to obtain the patent.

Very respectfully,

E. H. PORTER,

*Deputy State Land Commissioner.*

On motion of Mr. Miles,

The communication was referred to the committee on public lands.

The Speaker announced the following:

SWAMP LAND STATE ROAD COMMISSIONER'S OFFICE, }  
Lansing, Mich., March 9th, 1869.

Hon. J. J. WOODMAN, *Speaker of the House of Representatives of Michigan:*

SIR—I have the honor to acknowledge the receipt of the following resolutions passed by the House on the 8th inst.:

*Resolved* That the Swamp Land State Road Commissioner be requested to report to this House, with all convenient speed, the amount of money that has been paid for surveys of State roads, and how much on each road; also, how much has been paid to local commissioners for their services, and to whom, and on what road;

*Resolved*, That the Swamp Land State Road Commissioner be requested to report to this House the number of acres of land in the original grant of swamp lands by Congress to this State; what part of the same are in the Upper Peninsula, and what part in the Lower Peninsula, and the counties in which the same are located; also the aggregate amount in acres that have been expended and appropriated, either in land or money, for the purposes of building roads and ditches in this State, since such grant was made, as appears from the books, records, files, contracts or other documents in his office;

In response, I have to say: There are no data in my office which enable me to report the facts called for in the first resolution. I believe those items of information can only be obtained from the Auditor General's Office, by an examination.

of vouchers in detail, a work that could not probably be completed before the close of the session.

I respectfully report the following facts in reply to the second resolution:

1st. Total grant of Swamp Lands by Congress

to this State..... 5,891,598.34 acs.

2nd. Am't of same in U. Peninsula, 2,630,659.33

3rd. " " L. Peninsula, 3,260,939.01

4th. Location by counties as per printed list herewith.

Counties.	Acres Swamp Land.
Alcona .....	122,940.15
Allegan.....	83,169.17
Alpena .....	251,014.73
Antrim .....	38,980.50
Barry .....	5,167.75
Bay.....	117,174.42
Benzie .....	19,189.79
Barrien.....	7,432.09
Branch .....	4,499.42
Calhoun .....	12,910.65
Cass .....	7,421.39
Cheboygan.....	177,540.33
*Chippewa.....	531,573.56
*Clare.....	93,720.56
*Clinton.....	23,312.35
*Crawford .....	41,811.65
*Delta .....	255,713.58
Eaton.....	15,237.99
Emmet.....	105,808.28
*Genesee .....	4,197.64
*Gladwin.....	160,643.25
*Grand Traverse.....	29,264.95
*Gratiot .....	50,750.38
Hillsdale .....	1,299.78
*Houghton .....	141,143.76
Huron .....	170,301.78

Counties.	Acres.
Ingham .....	16,338.75
Ionia.....	11,070.51
Iosco.....	69,013.71
Isabella.....	53,093.63
Jackson.....	4,801.45
Kalamazoo .....	5,684.78
Kalkaska.....	44,634.15
Kent.....	14,791.18
*Keweenaw .....	36,497.46
Lake.....	23,268.69
Lapeer.....	21,661.47
Leelanaw .....	14,231.41
Lenawee.....	1,800.00
Livingston.....	3,796.64
*Mackinac.....	353,223.22
Macomb.....	41.65
Manistee.....	47,633.60
*Manitou.....	3,500.96
*Marquette.....	388,579.19
Mason.....	42,497.16
Mecosta.....	61,681.29
*Menominee .....	325,121.01
Midland .....	35,850.88
Missaukee.....	104,244.08
Monroe .....	4,563.85
Montcalm .....	33,341.55
Montmorenci .....	102,470.23
Muskegon .....	47,881.12
Newaygo.....	74,170.58
Oakland .....	2,365.45
Oceana .....	44,045.87
Ogemaw.....	65,121.44
*Ontonagon.....	106,315.33
Oscoda .....	46,629.95
Ozoda.....	22,924.75

Counties.	Acres.
Otsego .....	39,287.70
Ottawa .....	27,699.27
Presque Isle.....	217,867.90
Roscommon .....	100,275.37
Saginaw.....	65,875.27
Sanilac .....	143,807.61
*Schoolcraft .....	488,991.26
Shiawassee .....	17,061.78
St. Clair.....	28,427.57
St. Joseph.....	3,383.06
Tuscola .....	108,932.93
Van Buren.....	26,985.06
Washtenaw .....	1 749.94
Wayne .....	120.00
Wexford .....	27,339.91
Total .....	5,891,598.34

\*Ten counties in Upper Peninsula having lands.

5th. Aggregate appropriations and expenditures; for this please see tables 3, 4 and 5 of my first annual report.

All of which is respectfully submitted.

L. B. CURTIS,  
*Commissioner.*

The communication was laid on the table.

The Speaker also announced the following:

QUARTERMASTER GENERAL'S OFFICE, }  
Detroit, March 9, 1869. }

Hon. J. J. WOODMAN, *Speaker of the House of Representatives,*  
*Lansing:*

SIR—I have the honor to acknowledge the receipt of a copy of a resolution adopted by the Legislature on the 6th inst., as follows:

“Resolved, That the Quartermaster General of this State be requested to inform this House, whether from present calculation it appears that the quota of this State, of the first 300,000 of the 500,000 call of February 1, 1864, was filled on the 5th

day of February, 1864, in case the credits at large, together with local credits and the credits of veterans reënlisting in the field, of this State, prior to that date, had then been properly and fully applied."

In answer, beg leave to state, that from a recent calculation, I am satisfied, if the credits at large, together with local credits and the credits of veterans reënlisting in the field, of this State, prior to February 1, 1864, had then been fully applied, that the quota of the State on the 300,000 call would have been full on the 5th February, 1864.

Respectfully yours,

FRIEND PALMER,

*Quartermaster General.*

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, March 9, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Whereas*, The rapid increase of the great Northwest, in population and in all agricultural productions, is so extensive as to demand new avenues for the transportation of produce to the Atlantic cities;

*And whereas*, The navigation of the lakes, for a large portion of the season, by the Straits of Mackinac, is attended with serious loss of life and property; therefore,

*Resolved by the Senate and House of Representatives of the State of Michigan*, That our Senators in Congress be instructed, and our Representatives requested, to procure an appropriation, or a corps of government engineers, to survey the route between the river Raisin and the St. Joseph river, in the State of Michigan, for the purpose of ascertaining the feasibility of a ship canal between Lakes Erie and Michigan.

*Resolved*, That the Governor be requested to transmit copies

of this resolution to our Senators and Representatives in Congress;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Baxter moved that the House concur in the adoption of the concurrent resolution.

Mr. J. A. Williams demanded the yeas and nays.

The demand was seconded, and the resolution was adopted, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Grant,	Mr. Putnam,
Barnaby,	Holt,	Sanford,
Baxter,	Hubbard,	Shaw,
Beall,	Hunt,	Sickels,
Bostwick,	Hurlbut,	Slayton,
G. G. Briggs,	Hutchinson,	Smith,
Brownell,	Jewell,	Snell,
Cameron,	L. Kendrick,	Stewart,
B. Clark,	Kingale,	Stockbridge,
O. Clark,	Klein,	Swift,
Cogshall,	Lane,	Vowles,
Crane,	Mandigo,	Walton,
Eaton,	McCowen,	Ward,
Eck,	Miles,	Weier,
Elliott,	Miller,	Wendell,
Fuller,	Mitchell,	Westover,
Gay,	Newman,	White,
Gifford,	Norton,	W. D. Williams,
Goodrich,	Pilnpton,	Speaker, 57

#### NAYS.

Mr. Avery,	Mr. Hartson,	Mr. Romeyn,
Boynton,	Horton,	Sheldon,
R. V. Briggs,	Lovell,	Stannard,
Crossman,	Mead,	Wilcox,
Davis,	Millington,	H. G. Williams,
Doty,	Murray,	J. A. Williams,
Fenner,		

19

Pending the announcement of the vote,

Mr. H. G. Williams moved that Mr. Miller be excused from voting;

Which motion did not prevail.

Mr. Miller then voted as recorded above.

Mr. G. G. Briggs moved that Mr. Sanford be excused from voting;

Which motion did not prevail.

Mr. Sanford then voted as recorded above.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 9, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following joint resolutions:

1. Senate joint resolution No. 11, entitled

Joint resolution to regulate the making up of reports of claims examined and adjusted by the Board of State Auditors;

2. Senate joint resolution No. 17, entitled

Joint resolution for the appointment of a commission to examine the discipline and general management of the penal and reformatory and charitable institutions of the State, and report plans and recommendations for their improvement;

Which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

The second named joint resolution was read a first and second time by its title, and referred to the committee on State affairs.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 9, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following joint resolutions:

1. Senate joint resolution No. 8, entitled

Joint resolution for the relief of Lieut. Col. John Cordon;

2. Senate joint resolution No. 15, entitled

Joint resolution to authorize the Board of State Auditors to audit and allow the account of Henry S. Clubb, for reporting, for the Supreme Court of the State of Michigan, the evidence in the case of the State of Michigan *ex rel.* Frank H. White vs. Hermanus Doesburg;

Which have passed the Senate, by a two-thirds vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,  
*Secretary of the Senate.*

The joint resolutions were read a first and second time by their titles, and referred to the committee on ways and means.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 9, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 92, entitled

A bill in relation to life insurance companies transacting business within this State;

2. Senate bill No. 102, entitled

A bill to amend section 29, of an act for the reorganization of the military forces of the State of Michigan, being act No. 16, of the session laws of 1862, approved January 18, 1862;

3. Senate bill No. 129, entitled



A bill to legalize the first charter election held in the village of Hubbardston, for the year A. D. 1867;

4. Senate bill No. 130, entitled

A bill to legalize the tax roll of the village of Memphis, in the counties of Macomb and St. Clair, for the year 1867;

5. Senate bill No. 131, entitled

A bill to detach certain territory from the township of Hume, in the county of Huron, and attach the same to the township of Port Austin;

6. Senate bill No. 138, entitled

A bill to provide an additional sum for the payment of officers and members of the Legislature for the year 1869;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on insurance.

The second named bill was read a first and second time by its title, and referred to the committee on military affairs.

The third named bill was read a first and second time by its title, and

On motion of Mr. Smith,

The rules were suspended, and the bill was placed on the order of third reading.

The fourth named bill was read a first and second time by its title, and

On motion of Mr. Huston,

The rules were suspended, and the bill was placed on the order of third reading.

The fifth named bill was read a first and second time by its title, and referred to the committee on towns and counties.

The sixth named bill was read a first and second time by its title, and referred to the committee on ways and means.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 9, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 11, entitled

A bill to amend section 43 of an act entitled "An act to provide for the incorporation of railroad companies," approved February 12, 1855, as amended by an act amendatory thereof, approved March 27, 1867;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,  
*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, March 9, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 86, entitled

A bill to organize the county of Alcona;

And to inform the House that the Senate has amended the same, by adding the following, to stand as section 6 of the bill:

"Sec. 6. It shall be the duty of the register of deeds for said county of Alcona, when elected, to procure, maintain and keep in his office two sets of books for the record of deeds, mortgages and other instruments affecting the title of real estate in said counties of Alcona and Oscoda, the one to be denominated Records for Oscoda county, and the other to be denominated

Records for Alcona county,' and shall register and record in the books designated Records for Alcona county, all deeds, mortgages, conveyances or other instruments affecting the title to real estate which shall be situate in Alcona county, as the same are now required to be recorded by law. And all deeds, mortgages, conveyances or other instruments affecting the title to real estate situate in Oscoda county, shall be recorded in the books designated as Records for Oscoda county, with the same effect and to the same purpose as the same are now authorized to be recorded by law;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Boynton moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Holt,	Mr. Romeyn,
Avery,	Horton,	Shaw,
Baxter,	Hubbard,	Sheldon,
Beall,	Hurlbut,	Sickels,
Boynton,	Hutchinson,	Smith,
B. V. Briggs,	Jewell,	Snell,
Brownell,	L. Kendrick,	Stannard,
Cameron,	Kingsley,	Stewart,
B. Clark,	Klein,	Stockbridge,
O. Clark,	Lane,	Swift,
Cogshall,	Lovell,	Ternes,
Crane,	Mandigo,	Thompson,
Crossman,	McCowen,	Vowles,
Davis,	Mead,	Wagner,
Doty,	Miles,	Weier,
Eaton,	Miller,	Westover,
Eck,	Millington,	White,
Elliott,	Mitchell,	Wilcox,
Fenner,	Murray,	H. G. Williams,

Fuller,  
Gay,  
Goodrich,  
Grant,

Newman,  
Norton,  
Purcell,  
Putnam,

W. D. Williams,  
Yawkey,  
Speaker,

68

NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 9, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House bill No. 77, entitled

A bill to change the name of the plat and village of Millville, in the county of Muskegon, to Bluffton;

2. House bill No. 79, entitled

A bill to legalize the special township meeting of the township of Saugatuck, in the county of Allegan, held in said township January 22, 1869;

3. House bill No. 104, entitled

A bill to amend act No. 246, of the session laws of 1867, being an act to amend an act entitled "An act to connect the Duncan, Alpena and Sauble river State road with the East Saginaw and Sauble river State road," by adding one new section thereto, to stand as section five;

In the passage of which the Senate has concurred, by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The several named bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 9, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following joint resolution:

House joint resolution No. 12, entitled

Joint resolution asking the General Government for a grant of land to aid in the construction of the Mineral Range Railroad;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,  
*Secretary of the Senate.*

The joint resolution was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 9, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following joint resolution,

House manuscript joint resolution, entitled

Joint resolution granting block No. 137, in the city of Lansing, to the city of Lansing, for a public park;

In the passage of which the Senate has concurred, by a two-thirds vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,  
*Secretary of the Senate.*

The joint resolution was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 9, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 83, entitled

A bill to organize the township of Monitor, in Bay county;

And to inform the House that the Senate has amended the same by inserting in line 5 of section 1, after the word "as," the words "the township of,"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Shaw moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Hubbard,	Mr. Shier,
Avery,	Hunt,	Sickels,
Barnaby,	Hurlbut,	Smith,
Baxter,	Hutchinson,	Snell,
Beall,	Ingersoll,	Stannard,
Bostwick,	Jewell,	Stewart,
Boynnton,	L. Kendrick,	Stockbridge,
Cameron,	Kingsley,	Swift,
B. Clark,	Klein,	Tarnes,
O. Clark,	Lane,	Thompson,
Cogshall,	Lovell,	Vowles,
Crane,	Mandigo,	Wagner,
Davis,	McCowen,	Walton,
Doty,	Millington,	Weier,
Eaton,	Mitchell,	Wendell,
Eck,	Newman,	Westover,
Elliott,	Norton,	White,
Fenner,	Parcell,	Wilcox,
Fuller,	Putnam,	J. A. Williams,

Gay,	Romeyn,	W. D. Williams,	
Gifford,	Sanford,	Woodard,	
Goodrich,	Shaw,	Yawkey,	
Grant,	Sheldon,	Speaker,	
Holt,			70

NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 9, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following joint resolution:

House joint resolution No. 11, entitled

Joint resolution asking Congress for an appropriation of money to improve the harbor at the mouth of the Cheboygan river, on the Straits of Mackinaw;

And to inform the House that the Senate has amended the same by striking out the words "His Excellency" in line 1 of the second resolution; also, by striking out in lines 2 and 3 of the first preamble, the words "connecting Lakes Huron and Michigan;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Stockbridge moved that the House concur in the amendment made to the joint resolution by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Fenner,	Mr. Putnam,
Avery,	Fuller,	Romeyn,
Barnaby,	Gay,	Sanford,
Baxter,	Gifford,	Sheldon,
Beall,	Goodrich,	Shier,
Blake,	Holt,	Sickels,
Bostwick,	Hurlbut,	Smith,

R. V. Briggs,	Hutchinson,	Snell,
Brownell,	Ingersoll,	Stewart,
Cameron,	Jewell,	Stockbridge,
B. Clark,	L. Kendrick,	Vowles,
O. Clark,	Kingsley,	Wagner,
Crane,	Lane,	Walton,
Crossman,	Mandigo,	Weier,
Davis,	Mason,	Wendell,
Doty,	Millington,	W. D. Williams,
Eaton,	Mitchell,	Woodard,
Eck,	Newman,	Yawkey,
Elliott,	Purcell,	Speaker, 57

## NAYS.

Mr. Cogshall,	Mr. McCowen,	Mr. Thompson,
Grant,	Norton,	Westover,
Hubbard,	Shaw,	White,
Klein,	Stannard,	J. A. Williams,
Lovell,	Swift,	14

On motion of Mr. Baxter,

The House concurred in the amendment made to the preamble.

The joint resolution was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 9, 1869. }

*To the Speaker of the House of Representatives:*

SIR— I am instructed to return to the House the following joint resolution:

House joint resolution No. 10, entitled

Joint resolution asking Congress for an appropriation of money to improve Portage Lake and river, in Houghton county;

And to inform the House that the Senate has amended the same by striking out in line 1, of the second resolution, the words "His Excellency."

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*



Mr. Baxter moved that the House concur in the amendment made to the joint resolution by the Senate;

Which motion did not prevail, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Huston,	Mr. Stockbridge,
Avery,	Kingsley,	Vowles,
Barnaby,	McCowan,	Walton,
Baxter,	Millington,	Ward,
Blake,	Sanford,	Wendell,
Bostwick,	Sheldon,	White,
Cameron,	Smith,	W. D. Williams,
O. Clark,	Snell,	Woodard,
Eck,	Stewart,	Speaker,
Elliott,		

28

## NAYS.

Mr. R. V. Briggs,	Mr. Horton,	Mr. Norton,
Brownell,	Hubbard,	Purcell,
B. Clark,	Hurlbut,	Putnam,
Cogahall,	Hutchinson,	Romeyn,
Crane,	Ingersoll,	Shaw,
Crossman,	Jewell,	Shier,
Davis,	L. Kendrick,	Sickels,
Doty,	Klein,	Stannard,
Eaton,	Lane,	Swift,
Fenner,	Lovell,	Ternes,
Fuller,	Mason,	Thompson,
Gay,	Miller,	Wagner,
Gifford,	Mitchell,	Weier,
Goodrich,	Murray,	J. A. Williams,
Grant,	Newman,	Yawkey,
Holt,		

46

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 9th, 1869. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 154, entitled

A bill to provide for the sessions of the Board of State Auditors.

2. Senate bill No. 145, entitled

A bill requiring corporations doing business in this State,

whose principal offices are out of the State, to keep a list of their stockholders and a transfer book within this State;

3. Senate bill No. 151, entitled

A bill to amend section 86, of chapter 93, of the revised statutes of 1846, being section 3738 of the compiled laws;

4. Senate bill No. 139, entitled

A bill making appropriations for the Michigan Asylum for the Insane for the years 1869 and 1870;

5. Senate bill No. 135, entitled

A bill to provide for the purchase of books for the State Library;

6. Senate bill No. 108, entitled

A bill to provide for the payment of the salaries of the military officers for the years 1869 and 1870;

7. Senate bill No. 106, entitled

A bill to amend chapter 51 of the compiled laws, relating to the destruction of wolves and other noxious animals, by adding a new section thereto, to stand as section 13 of said chapter;

8. Senate bill No. 132, entitled

A bill to regulate the practice of dentistry in the State of Michigan;

Which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first, seventh and eighth named bills were read a first and second time by their titles, and referred to the committee on State affairs.

The second named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The third named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The fourth and sixth named bills were read a first and second

time by their titles, and referred to the committee on ways and means.

The fifth named bill was read a first and second time by its title, and referred to the committee on State library.

### THIRD READING OF BILLS.

House manuscript bill, entitled

A bill to incorporate the city of Kalamazoo,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Barnaby,	Mr. Hunt,	Mr. Shier,
Baxter,	Hurlbut,	Sickels,
Blake,	Huston,	Smith,
Bostwick,	Hutchinson,	Snell,
Boynston,	Ingersoll,	Stannard,
G. G. Briggs,	Jewell,	Stewart,
R. V. Briggs,	Kingalev,	Stockbridge,
Cameron,	Klein,	Swift,
B. Clark,	Lane,	Ternea,
O. Clark,	Lovell,	Thompson,
Crane,	Mason,	Vowles,
Davis,	McCowen,	Wagner,
Doty,	Mead,	Walton,
Eaton,	Miles,	Ward,
Eck,	Miller,	Weier,
Elliott,	Millington,	Wendell,
Fenner,	Mitchell,	Westover,
Fuller,	Murray,	White,
Gay,	Newman,	Wilcox,
Gifford,	Norton,	H. G. Williams,
Goodrich,	Purcell,	W. D. Williams,
Grant,	Putnam,	Woodard,
Holt,	Romeyn,	Yawkey,
Horton,	Shaw,	Speaker.
Hubbard,	Sheldon,	

74

#### NAYS.

0

Mr. Stannard moved to amend the title so that it should read, "A bill to fix the time for holding the first annual election in the village of Saranac, in Ionia county, being an act supplementary to an act to incorporate the village of Saranac, in Ionia county, approved March 4, 1869;"

Which motion prevailed.

The title, as amended, was agreed to.

On motion of Mr. Stannard,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Ingersoll moved that there be a call of the House;

Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members reported absent without leave:

Messrs. Avery, Cogshall, Mandigo, McKernan, Plimpton, Rowilson and Slayton.

Mr. Miles asked and obtained leave of absence for Mr. Rowilson for the forenoon.

Mr. Fuller asked and obtained leave of absence for Mr. Slayton until afternoon.

On motion of Mr. R. V. Briggs,

The Sergeant-at-Arms was dispatched after the absentees.

The Sergeant-at-Arms announced Mr. Mandigo at the bar of the House.

On motion of Mr. Baxter,

Mr. Mandigo was admitted within the bar of the House, rendered an excuse and took his seat.

The Sergeant-at-Arms announced Mr. Avery at the bar of the House.

On motion of Mr. Ingersoll,

Mr. Avery was admitted within the bar of the House, rendered an excuse and took his seat.

The Sergeant-at-Arms announced Mr. Cogshall at the bar of the House.

On motion of Mr. Ingersoll,

Mr. Cogshall was admitted within the bar of the House, rendered an excuse, and took his seat.

Mr. Brownell moved that all further proceedings under the call be dispensed with;

Which motion did not prevail.

Mr. Woodard moved that leave of absence be granted to Mr. Plimpton until 2 o'clock;

Which motion did not prevail.

Mr. Ingersoll moved that all further proceedings under the call be dispensed with;

Which motion did not prevail.

Mr. Miles moved to reconsider the vote by which the last motion was lost;

Which motion prevailed.

The question being upon the motion to dispense with all further proceedings under the call;

The motion prevailed.

On motion of Mr. Baxter,

The rule requiring the second and third reading of bills to be on different days, was suspended, and the other bills on the order of third reading were put upon their passage.

Senate bill No. 130, entitled

A bill to legalize the tax roll of the village of Memphis, in the counties of Macomb and St. Clair, for the year 1867,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Hartson,	Mr. Shaw,
Avery,	Holt,	Sheldon,
Barnaby,	Horton,	Shier,
Baxter,	Hubbard,	Sickels,
Beall,	Hunt,	Smith,
Blake,	Hurlbut,	Snell,
Bostwick,	Huston,	Stannard,
Boytton,	Hutchinsen,	Stewart,
G. G. Briggs,	Ingersoll,	Stockbridge,
Brownell,	Jewell,	Swift,
Cameron,	L. Kendrick,	Ternes,
B. Clark,	Kingsley,	Thompson,
O. Clark,	Klein,	Vowles,
Cogshall,	Lane,	Wagner,
Crane,	Lovell,	Walton,
Crossman,	Mandigo,	Ward,
Davis,	McCowen,	Weier,
Doty,	Miles,	Wendell,

Eaton,  
Eck,  
Elliott,  
Fenner,  
Fuller,  
Gifford,  
Goodrich,  
Grant,

Millington,  
Mitchell,  
Murray,  
Newman,  
Purcell,  
Putnam,  
Romeyn,  
Sanford,

Westover,  
White,  
Wilcox,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker, 78

# NAYS.

Mr. R. V. Briggs,

1

Title agreed to.

On motion of Mr. Hartson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 129, entitled

A bill to legalize the first charter election held in the village of Hubbardston, for the year A. D. 1867,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

# YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
G. G. Briggs,  
R. V. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Crossman,  
Davis,  
Doty,  
Eaton,  
Eck,  
Elliott,  
Fenner,  
Fuller,

Mr. Grant,  
Hartson,  
Holt,  
Horton,  
Hubbard,  
Hunt,  
Hutchinson,  
Ingersoll,  
Jewell,  
L. Kendrick,  
Klein,  
Lovell,  
Mandigo,  
Mason,  
McCowen,  
Mead,  
Miles,  
Miller,  
Millington,  
Mitchell,  
Murray,  
Norton,  
Purcell,

Mr. Rowison,  
Shaw,  
Sheldon,  
Shier,  
Sickels,  
Smith,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Vowles,  
Wagner,  
Walton,  
Ward,  
Wendell,  
Westover,  
White,  
Wilcox,  
J. A. Williams,  
Woodard,

Gifford,  
Goodrich,

Putnam,  
Romeyn,  
NAYS.

Yawkey.  
Speaker, 75  
0

Title agreed to.

On motion of Mr. Smith,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

#### MOTIONS AND RESOLUTIONS.

Mr. Lovell moved to discharge the committee of the whole from the further consideration of Senate bill No. 96, entitled

A bill to amend an act entitled "An act to provide for the selection, care and disposition of the lands donated to the State of Michigan, by act of Congress, approved July 2d, 1862, for the endowment of colleges for the benefit of agriculture and the mechanic arts, approved March 18th, 1863;

Which motion prevailed.

On motion of Mr. Lovell,

The bill was placed on its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Cameron moved to amend, by inserting after the words "sixty-three," in line two of section one, the following: "entitled an act to provide for the selection, care and disposition of the lands donated to the State of Michigan, by act of Congress, approved July 2d, 1862, for the endowment of colleges, for the benefit of agriculture and the mechanic arts, approved March 18th, 1863;"

Which was agreed to.

Mr. Fuller moved to further amend, by striking out in line two, of recited section three, after the word "dollars," the words "and fifty cents;"

Which was agreed to.

Mr. Ward moved to further amend, by striking out in line eight, of recited section three, "and not for agricultural purposes;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Goodrich,	Mr. Purcell,
Avery,	Grant,	Putnam,
Barnaby,	Hartson,	Shaw,
Baxter,	Holt,	Shier,
Beall,	Horton,	Sickels,
Blake,	Hubbard,	Smith,
Bostwick,	Hunt,	Snell,
Boynton,	Hutchinson,	Stockbridge,
G. G. Briggs,	Ingersoll,	Swift,
R. V. Briggs,	Jewell,	Ternes,
Brownell,	L. Kendrick,	Thompson,
Cameron,	Kingsley,	Vowles,
B. Clark,	Klein,	Wagner,
O. Clark,	Lane,	Walton,
Cogshall,	Lovell,	Ward,
Crane,	Mason,	Weier,
Davis,	Mead,	Wendell,
Doty,	Miles,	Westover,
Eaton,	Miller,	White,
Eck,	Millington,	Wilcox,
Elliott,	Mitchell,	J. A. Williams,
Fenner,	Murray,	W. D. Williams,
Fuller,	Newman,	Woodard,
Gay,	Norton,	Yawkey,
Gifford,	Plimpton,	Speaker, 55

## NAYS.

Mr. Crossman,	Mr. McCowen,	Mr. Sanford,
Huston,	Romeyn,	Sheldon,
Mandigo,	Rowleon,	Stannard, 9

Pending the announcement of the vote,

Mr. Avery moved that Mr. Mason be excused from voting;

Which motion did not prevail.

Mr. Mason then voted as recorded above.

Mr. J. A. Williams moved that Mr. Sanford be excused from voting;

Which motion did not prevail.

Mr. Sanford then voted as recorded above.

The title was agreed to.



On motion of Mr. Rowson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Huston moved to discharge the committee of the whole from the further consideration of House manuscript bill, entitled

A bill to provide for the laying out and establishing a State road from the village of Harrisville, in Alcona county, to intersect the Midland, Houghton Lake and Traverse City road;

Which motion prevailed.

Mr. Huston moved that the bill be placed on its immediate passage.

Mr. Cogshall rose to a point of order, that it was not competent for a committee to report a substitute for a bill referred to them, under a particular title, which subject was entirely irrelevant to the subject matter embraced in the title. That a bill so reported is clearly a new bill, and is not admissible under section 28 of article 4 of the constitution, which provides "No new bill shall be introduced into either House of the Legislature after the first fifty days of a session shall have expired."

The Speaker ruled that he had no control over the action of a regular committee of the House on a subject matter referred to them. That it was competent for a committee of the House to amend a bill as they saw fit, and then it was in the power of the House to concur or non-concur in the action of the committee when reported to the House. It is within the province of the House to decide, at this time, whether they deem the action of the committee proper or improper.

Mr. Cogshall moved that the further consideration of the bill be indefinitely postponed;

Which motion did not prevail.

The motion to place the bill upon its immediate passage then prevailed.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Huston moved to amend by inserting between the words

"the" and "laws," in line 2, of section 1, the word "session;" also, by inserting after the word "authorized," in line 4, of section 1, "on a vote of two-thirds of the stockholders interested;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Avery,	Mr. Horton,	Mr. Sheldon,
Baxter,	Hunt,	Shier,
Beall,	Hurlbut,	Sickels,
Blake,	Huston,	Slayton,
Boynnton,	Kingsley,	Smith,
R. V. Briggs,	Lane,	Snell,
B. Clark,	Lovell,	Stannard,
O. Clark,	Mason,	Stewart,
Crossman,	McCowen,	Stockbridge,
Davis,	McKernan,	Swift,
Doty,	Mead,	Ternes,
Eaton,	Miller,	Thompson,
Eck,	Mitchell,	Wagner,
Fenner,	Murray,	Weier,
Fuller,	Newman,	Wendell,
Gay,	Purcell,	Westover,
Grant,	Rowlson,	Woodard,
Hartson,	Sanford,	

53

## NAYS.

Mr. Ashley,	Mr. Hutchinson,	Mr. Vowles,
Bostwick,	Klein,	Walton,
G. G. Briggs,	Mandigo,	White,
Cogshall,	Miles,	J. A. Williams,
Crane,	Millington,	W. D. Williams,
Elliott,	Norton,	Yawkey,
Goodrich,	Romeyn,	Speaker,
Hubbard,	Shaw,	

23

Pending the announcement of the vote,

Mr. Snell moved that Mr. W. D. Williams be excused from voting;

Which motion did not prevail.

Mr. Williams then voted as recorded above.

Mr. Boynton moved that Mr. G. G. Briggs be excused from voting;

Which motion did not prevail.

Mr. Briggs then voted as recorded above.

Mr. Huston moved to amend the title so that it should read,  
"A bill to authorize corporations formed for the purpose of running, driving, booming and rafting logs, timber, lumber and other floatables, to amend their articles of association, and to save all rights of such corporations."

Mr. Cogshall rose to a point of order about the competency of the House to entirely change the title of a bill, covering a different subject from that set forth in the title of the original bill introduced.

The Speaker ruled that he deemed it competent for the House to change the title of a bill as they saw fit, to express the object set forth in the bill as passed, expressing at the same time his doubt as to the constitutionality of such an act.

The motion to amend the title prevailed.

The title, as amended, was agreed to.

Mr. Huston moved that the bill be ordered to take immediate effect;

Which motion did not prevail.

On motion of Mr. G. G. Briggs,

The House took a recess until two o'clock this afternoon.

---

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

By unanimous consent, Mr. Miles moved that House manuscript bill, entitled

A bill to authorize corporations formed for the purpose of running, driving, booming and rafting logs, timber, lumber and other floatables, to amend their articles of association, and to save all rights of such corporations,

Passed this morning, be ordered to take immediate effect;

Which motion prevailed, two-thirds of all the members elect voting therefor.

Mr. Millington, by unanimous consent, offered the following:

*Whereas*, Much time has heretofore been unnecessarily spent in lengthy debates; therefore,

*Resolved*, That hereafter, during this session, the time for delivering each argument or explanation by a member be limited to a period not exceeding five minutes, unless by unanimous consent of all the members present at time of discussing the same.

Mr. Ward moved to amend by striking out "five," and inserting the word "ten" in lieu thereof.

On motion of Mr. Cameron,

The resolution was laid on the table.

SPECIAL ORDER.

On motion of Mr. Baxter,

The House went into committee of the whole, on the special order,

Mr. R. V. Briggs in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill :

House bill No. 130, entitled

A bill to provide for the draining of swamps, marshes, and other low lands;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

ROBERT V. BRIGGS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. G. G. Briggs,

The House concurred in the amendments made to the bill by the committee, and the bill was placed on the order of third reading.

Mr. R. V. Briggs asked and obtained leave of the House to have his name recorded as voting against the passage of Senate joint resolution No. 2, entitled

Joint resolution for the payment of the claim of William Beard and others;

Also, as voting "aye" in sustaining the decision of the Chair, that it required a two-thirds vote to pass said joint resolution.

Mr. Miles asked the unanimous consent of the House to move to take from the table House joint resolution No. 15, entitled

Joint resolution for the relief of Hiram Ransom.

Mr. Boynton objected.

On motion of Mr. Stewart,

The House adjourned until to-morrow morning at 9 o'clock.

---

*Lansing, Thursday, March 11, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Perrine.

Roll called: quorum present.

Absent without leave: Messrs. Brownell, Hartson and Rowison.

Mr. Barnaby asked and obtained leave of absence for Mr. Brownell, for the forenoon.

Mr. Fenner asked and obtained leave of absence for Mr. Hartson, until Monday morning.

Mr. McCowen asked and obtained leave of absence for Mr. Rowison, for the day.

The Speaker announced the following:

DETROIT HOUSE OF CORRECTION,  
Supt's Office, Detroit, Mich., March 10, 1869. }

N. B. JONES, Clerk of the House of Representatives,

HENRY S. SLEEPER, Secretary of the Senate:

GENTLEMEN—It will give me great pleasure to accept the invitation of the Legislature, transmitted to me in yours of 5th inst., and I will, if convenient to them, address them upon the subject indicated, on Thursday, 11th inst.

I am very respectfully, your ob't serv't,

Z. R. BROCKWAY.

## PRESENTATION OF PETITIONS.

By Mr. Mead: petition of the First National Bank of Romeo, praying that the specific taxes paid by national banks be refunded.

Referred to the committee on ways and means.

By Mr. Yawkey: petition of Lorenzo Smith and 71 others, formerly soldiers in the United States service, being members of the 29th regiment, asking the State to pay them a bounty of \$100 each.

Referred to the committee on military affairs.

By Mr. R. V. Briggs: petition of G. H. Prentiss, D. C. Holbrook and 35 others, asking that the Agricultural College be united with the University, and that no further appropriation be granted to the Agricultural College.

Referred to the committee on the Agricultural College.

By Mr. Davis: petition of Edward Jewell and 34 others, praying for the passage of a law to protect the people from empiricism, and to elevate the medical profession.

On motion of Mr. G. G. Briggs,

The petition was laid on the table.

By Mr. R. V. Briggs: petition of Geo. Clark, A. M. Salliotte, Alexander Campau and 8 others, asking for the passage of a law, providing that the highway taxes in the township of Ecorse, county of Wayne, may be assessed, levied and collected as other taxes are assessed, levied and collected, and expended under the direction of the highway commissioners.

Referred to the committee on local taxation.

## REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 195, of chapter 117, of the compiled laws, relative to appeals from justices' courts,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass,

and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Beall,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 5, of chapter 158, of the revised statutes, being section 5860, of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 151, entitled

A bill to amend section 86, of chapter 93, of the revised statutes of 1846, being section 3738 of the compiled laws;

Also: Senate bill No. 120, entitled

A bill relative to an attorney or solicitor's fee, stipulated to be paid in a real estate mortgage,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The two named bills were referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

Joint resolution proposing amendments to section 7, of article 15, of the Constitution of Michigan, in relation to liabilities of stockholders in joint stock corporations or associations,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was committed Senate bill No. 8, entitled

A bill to amend section 7, of chapter 19, and sections 15 and 17, of chapter 21, of the compiled laws, and to add two new sections to chapter 21,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

E. F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Mason,

The House concurred in the amendments made to the bill by the committee.

The bill having been read a third time, and the question being upon its passage, it was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:



## YEAS.

Mr. Avery,	Mr. Grant,	Mr. Putnam,
Barnaby,	Harris,	Riopelle,
Baxter,	Holt,	Romeyn,
Beall,	Hubbard,	Shaw,
Blake,	Hunt,	Sheldon,
Bostwick,	Hurlbut,	Shier,
Boynton,	Huston,	Sickels,
G. G. Briggs,	Hutchinson,	Slayton,
R. V. Briggs,	Ingersoll,	Stannard,
Brownell,	L. Kendrick,	Stewart,
Cameron,	Kingsley,	Stockbridge,
B. Clark,	Klein,	Swift,
O. Clark,	Lane,	Ternes,
Cogshall,	Lovell,	Thompson,
Crossman,	Mandigo,	Walker,
Curry,	Mason,	Ward,
Davis,	McCowen,	Weier,
Doty,	Mead,	Wendell,
Eaton,	Miles,	Westover,
Eck,	Miller,	Wileox,
Elliott,	Millington,	H. G. Williams,
Fenner,	Mitchell,	J. A. Williams,
Fuller,	Murray,	W. D. Williams,
Gay,	Newman,	Yawkey,
Gifford,	Norton,	Speaker,
Goodrich,	Plimpton,	Woodard, 78.

## NAYS.

Mr. Crane,	Mr. Purcell,	Mr. Walton,
Jewell,	Vowles,	White, 6.

Mr. Mead moved to amend the title so that it should read: "A bill to amend section 7, of chapter 19, of the compiled laws, also section 15, of chapter 21, of the compiled laws as amended by act No. 199, of the session laws of 1867; also section 17, of said chapter 21; and also to add three new sections to said chapter, to stand as sections 22, 23 and 24, relating to duties of overseers of highways and commissioners of highways;"

Which motion prevailed.

The title, as amended, was agreed to.

On motion of Mr. Miller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on judiciary:

The committee on judiciary, to whom was referred Senate bill No. 88, entitled

A bill to amend act No. 233, of the session laws of 1861, being an act entitled "An act to facilitate the commencement of suits against joint defendants residing in several counties," approved March 16th, 1861,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 29, of chapter 72, of the revised statutes of 1846, being section 2944 of the compiled laws in relation to the estates of deceased persons,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on military affairs:

The committee on military affairs, to whom was referred Senate Joint resolution entitled

Joint resolution for the relief of Lieut. John Cordon,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the joint resolution, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

GEO. G. BRIGGS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Grant,

The House concurred in the amendments made to the joint resolution by the committee.

The joint resolution was then referred to the committee of the whole and placed on the general order.

By the committee on military affairs:

The committee on military affairs, to whom was referred Senate bill No. 102, being

A bill to amend section 29 of an act for the reorganization of the military forces of the State of Michigan, being act No. 16, of the session laws of 1862, approved January 18, 1862,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GEO. G. BRIGGS, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on lumber interests:

The committee on lumber interests, to whom was referred

A bill to organize the Au Sable and Tawas river booming company, with certain privileges,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it

do pass, and ask to be discharged from the further consideration of the subject.

G. H. FENNER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred Senate bill No. 131, entitled

A bill to detach certain territory from the township of Hume, in the county of Huron, and attach the same to the township of Port Austin,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, on the 10th of March,

A bill to organize the county of Alcona.

E. M. MASON, *Chairman.*

Report accepted.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for laying out and establishing a swamp land State road from the village of Escanaba, in Delta county, westerly to a point at or near the southern terminus of the L'Anse Bay and State Line Swamp Land State road, in Marquette county, to be known as the Escanaba and Chicago

Lake State road, and to appropriate swamp lands for building the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill appropriating ten sections of State swamp lands for draining and improving marsh lands on Rice and Round lakes, in Emmet county;

Also,

A bill to provide for the drainage and reclamation of swamp land, by means of a State road and ditches from Torch Lake to Thunder Bay, and ask for an appropriation of swamp land for the construction of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. G. G. Briggs,

The bill was laid on the table.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for the laying out and establishing a State road, from the town of Chesaning to the town of Spalding, in the county of Saginaw, and appropriating swamp lands to aid in the construction of the same;

Also,

A bill to provide for the drainage and reclamation of swamp land, by means of a State road and ditches, from the east area of Traverse Bay to Houghton Lake,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, Jr., *Chairman.*

Report accepted and committee discharged.

The bills were ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill appropriating State swamp lands for the laying out and construction of a State road, from Little Traverse Bay to the Cheboygan River;

Also,

A bill appropriating swamp land to provide for draining Scott Lake and the low lands adjacent thereto, in the county of Van Buren,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, Jr., *Chairman.*

Report accepted and committee discharged.

The bills were ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for the drainage and reclamation of swamp lands by means of a State road and ditches from Ludington, in Mason county, to the east line of said county, and ask for an appropriation of swamp land for the construction of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged] from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to repeal subdivision No. 8, of section No. 1, of act No. 117, of the laws of 1859, and all other acts or parts of acts which authorize the laying out and establishing of the Marquette and Bay de Noc swamp land State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to repeal subdivision No. 8, of section No. 1, of act No. 117, of the laws of 1859, and all acts and parts of acts which authorize the laying out and establishing of the Marquette and Bay de Noc swamp land State road;

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. McKernan,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to amend section 1, act No. 420, session laws of 1867,

so as to delocalize certain swamp land appropriated for the purpose of building State roads,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Horton,

The bill was laid on the table.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill appropriating 8 sections of State swamp lands, to secure the opening and construction of that part of the Bridgeport and Hornsville State road, between Vassar and the Holly Range;

Also,

A bill to provide for surveying and establishing a State ditch in Tuscola county, to be known as the Geneva and Saginaw State ditch, and making an appropriation of swamp land therefor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

The bills were ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on insurance:

The committee on insurance, to whom was referred Senate bill No. 92, being

A bill in relation to life insurance companies transacting business within this State,



Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass and ask to be discharged from the further consideration of the subject.

N. S. BOYNTON, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill making an appropriation for the erection of a building on block 15, in the city of Lansing, for library and other purposes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Ingersoll,

The bill was laid on the table.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to prevent and punish persons for breaking locks, chains and fastenings, attached to boats upon the inland lakes, rivers and streams of this State, and suffer them to float off, without the consent of the owners,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Joint resolution providing for letting to the lowest bidder, contracts to supply the State Prison and State Reform School with goods manufactured in this State, composed of wool, or partly of wool and partly of cotton,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to grant further time to the supervisor of the township of Kalamazoo, in the county of Kalamazoo, to perfect the assessment roll of said township,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to amend section 25, of chapter 10, of the revised statutes of 1846, being section 359, of the compiled laws, relating to the powers and duties of the board of supervisors of

th<sup>r</sup> several counties, and confer upon them certain local, administrative and legislative powers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to secure uniformity in the survey, field notes, diagrams and records of State roads; to require copies to be made, filed and kept, and to provide for the payment of all necessary expenses attending the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to provide for giving of abstracts by registers of deeds,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill requiring registers of deeds to furnish abstracts of titles to land;

Recommending that the substitute be concurred in, and that

the substitute do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Stewart,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate bill No. 139, being

A bill making appropriations for the Michigan Asylum for the Insane for the years 1869 and 1870,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate bill No. 105, being

A bill to provide for the payment of the salaries of the military officers for the years 1869 and 1870,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Norton,

The House concurred in the amendment made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate joint resolution No. 11, being

Joint resolution to regulate the making up of reports of claims examined and adjusted by the Board of State Auditors,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The joint resolution was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate joint resolution No. 15, being

Joint resolution to authorize the Board of State Auditors to audit and allow the account of Henry S. Clubb, for reporting for the Supreme Court of the State of Michigan, the evidence in the case of the State of Michigan *ex rel.* Frank H. White vs. Hermanus Doesburg,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The joint resolution was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 145, entitled

A bill requiring corporations doing business in this State, whose principal offices are out of the State, to keep a list of their stockholders, and a transfer book within this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred a bill, entitled

A bill to incorporate the village of Milford, in the county of Oakland;

Also: petition of H. Crawford, John L. Andrews, John Crawford and 98 others, asking for the incorporation of said village;

Also: remonstrance of L. W. Sebring and 78 others, against the incorporation of said village;

Also: remonstrance of M. Z. Mowrey, Joseph Brown and 16 others, against inserting a provision in the charter of Milford, making said village one school district;

Also: the statement of the school board of district No. 5, of the township of Milford, as to the condition of the school buildings therein,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Vowles,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

The petition and remonstrances were laid on the table.

By the committee on the judiciary:

The committee on the judiciary to whom was referred House bill No. 143, entitled

A bill to organize the county of Wexford,

Respectfully report that they have considered the question which was referred to them for investigation, and ask leave to make the following report:

The question in regard to this bill is: Does it embrace more than one object, so that when passed into a law, it will be repugnant to the State Constitution?

The bill consists of thirteen sections. The first section organizes the territory of the present county of Wexford into a separate county, by the name of Wexford, and confers upon the inhabitants thereof the privileges, powers and immunities of inhabitants of other organized counties. The second section attaches the unorganized county of Missaukee to said county of Wexford, for municipal and judicial purposes.

The third section organizes certain congressional townships in said county of Wexford into a township, by the name of Hanover, and declares when and where the first township meeting therein shall be held, and names persons who shall be inspectors of election thereof. In each of sections four, five and six are found provisions similar to those of section three, creating the three townships of Wexford, Springville and Colfax. Section seven attaches certain territory to the township of Colfax, and section eight certain territory to the township of Hanover. Section nine locates the county seat. Section ten requires the election of county officers at the annual township election on the first Monday of April next, and defines their term of office.

Section eleven prescribes the time and place of making the county canvass of the votes cast at such county election. Section twelve attaches said county of Wexford to the thirteenth judicial circuit, and requires two terms of court each year. And section thirteen makes it the duty of the new register of deeds to keep two sets of records, one for Wexford county, and one for Missaukee county.

With the provisions, thus condensed, of the various sections of the bill, before us, we can better judge whether they conflict with section 20 of article 4 of the constitution which reads, so far as our present investigation is concerned: "No law shall embrace more than one object, which shall be expressed in its title."

Does the bill in question embrace more than one object? If it contained only the sections creating the new county, establishing the county seat, providing for the election of officers and the canvass of the votes, attaching the county to a judicial circuit, and requiring the Register of Deeds to keep books of record for the security of title, would any one have supposed that the bill, though filled with a dozen items in detail, had more than a single constitutional object, viz: the erection of a municipality, with powers complete and necessary for its individual existence? Or if each of the four townships was created by a separate act, which defined the time and place of holding the first annual township meeting, would any one have raised the constitutional question of duplicity? Or, even if those four townships in the same county were created by a single act, would the question have been raised? We think not. Such instances of legislation are of daily occurrence, and to put so rigid a construction upon language as the opposite view supposes, would hamper legislation, and require a multiplication of acts beyond all reasonable bounds.

Let it be taken for granted, then, that neither of the supposed acts would be unconstitutional, as embracing too many objects; let us examine each one to see if in its singleness it embraces enough of the constitution to be constitutional.



1. The first supposed act creates a county, with its county seat, county officers and county canvass of votes. But where are the townships in which the inhabitants shall cast their votes, for under the Constitution no person shall be entitled to vote unless he has resided ten days preceding the election in the township in which he offers to vote, Mich. Con., Art. 7, Sec. 1. The result is that all the electors of the county are disfranchised. Again, the county board of supervisors is to consist of one supervisor from each organized township, and one such board "*shall be established in each county,*" Art. 10, Sec. 6. But if the law creating the county does not organize at least two townships therein, how will the township supervisors be elected, for they must be chosen in *organized* townships? And if they are not properly elected, how can there be a county board of supervisors, as required by the Constitution in each *organized* county? If there is no board of supervisors, the legislative functions of the county must cease. The power of taxation must lie dormant, for the want of the proper officers to enforce it. In fact there is no such county as the Constitution contemplates. Therefore it is an unconstitutional county. But being as perfect as the act created it, it follows that the act itself is imperfect, therefore unconstitutional; and unconstitutional for the reason of its singleness, instead of its doubleness, because, not that it did too much, but that it did not do enough. These points are more happily and fully dwelt upon by Justice Campbell in the case of the *People vs. Maynard*, 15 *Mich. Rep.*, pp. 468-9, in which the Supreme Court unanimously held the "act to organize the county of Washington," approved Feb. 15, 1867, to be unconstitutional. The reporter's notes are as follows:

"An act purporting to organize a new county out of territory detached from an old one, but which contains no organized townships, and makes provision for none, is inoperative and void, as without such township there can be no legal elections, and no means of organizing." "A county cannot be organized without the means of exercising all its necessary functions,

and requires more than one organized township, as the board of supervisors cannot exist without more than one member, and there can be no county without such a board."

2d. Each of the second supposed acts creates a township, and appoints the time and place of holding the first annual township meeting. Or, for the sake of brevity in the argument, suppose the four townships are created by a single act. You then have townships in existence; but where is the county organization, without which a township cannot have the ordinary political connection with the State? By all provisions of the constitution and of the statutes, the county is a municipality intermediate between the township and the State. The township is the primary or simplest political organization, and the State the highest and sovereign one. The State is an aggregation of counties, not of townships, and each county is a union of townships. Without a county organization the township could not well participate in a county, State or national election, and would, therefore, be virtually disfranchised. It could have no appellate court, nor court of common law jurisdiction; leaving the justice's court the supreme court for most purposes of litigation. It could bear no part of the burdens of the State taxation. We are, therefore, forced to the conclusion that each of the four supposed township acts, or the combined act, would be unconstitutional, for the reason stated in regard to the county act, that it is too single in its aim, and does not do enough.

"But," we may be asked, "can not the county act and the township act be passed separately, and avoid all question?" We answer that while neither would be constitutional alone, the courts would construe the two together as intending to accomplish a single purpose, viz: the perfect organization of a county. And we ask in turn that if they two accomplish a single purpose, why not include them in a single bill? Supposing either bill should pass and the other should fail, of what use would be the void legislation? Such an instance occurred in this House

two years ago, and the result we have quoted from the 15th Mich. Rep., 468.

But are these objects so inconsistent as to be objectionable in the same bill? Our constitutional provision, above quoted, is well known. The constitution of Minnesota, Kansas, Maryland, Kentucky, Nebraska, Ohio and Pennsylvania provide that "no law shall embrace more than one subject, which shall be expressed in its title." Those of Michigan, Louisiana and Texas are the same, substituting the word "object" for "subject." Those of South Carolina, Alabama and California are similar. That of New Jersey provides that "to avoid improper influences which may result from intermixing in one and the same act such things as have no proper relation to each other, every law shall embrace but one object, and that shall be expressed in the title." See Cooley's Con. Lim., note 4, p. 141.

The Michigan Supreme Court, in the case of the People vs. Mahony, 13th Mich. Rep, p. 494, opinion by Justice Cooley, says: "The history and purpose of this constitutional provision are too well understood to require any elucidation at our hands. The practice of bringing together into one bill subjects diverse in their nature, and having [no necessary connection, with a view to combine in their favor the advocates of all, and thus secure the passage of several measures, no one of which could succeed upon its own merits, was one both corruptive of the legislator and dangerous to the State. It was scarcely more so, however, than another practice, also intended to be remedied by this provision, by which, through dextrous management, clauses were inserted in bills of which the titles gave no intimation, and their passage secured through legislative bodies, whose members were not generally aware of their intention and effect. There was no design by this clause to embarrass legislation by making laws unnecessarily restrictive in their scope and operation, and thus multiplying their number; but the framers of the constitution meant to put an end to legislation of the vicious character referred to, which was little less than a fraud upon the public, and to require that in

every case the proposed measure should stand upon its own merits, and that the Legislature should be fairly satisfied of its design when required to pass upon it. See *Board of Supervisors vs. Heenan*, 2 Minn., 336. But this purpose is fully accomplished when the law has but one general object, which is fairly indicated by its title. To require that every end and means necessary to the accomplishment of this general object, should be provided for by a separate act relating to that alone, would not only be senseless, but would actually render legislation impossible." The police government of a city could not be organized without a distinct act for each specific duty to be devolved upon it, and these could not be passed until a multitude of other statutes had taken the same duties from other officers before performing them. And these several statutes, fragmentary as they must necessarily be, would often fail of the intended effect, from the inherent difficulty of expressing the legislative will when restricted to such narrow bounds.

The Supreme Court of Ohio says: "The provision that a bill shall contain but one subject, was to prevent combinations by which various and distinct matters of legislation should gain a support which they could not if presented separately,"—*Prin. vs. Nicholson*, 6 Ohio N. S. 179.

The Supreme Court of Louisiana, says: "Important general provisions were found placed in acts private or local in their operation; provisions concerning matters of practice or judicial proceedings were sometimes in the same statute with matters entirely foreign to them; the result of which was that on many important subjects the statute law had become almost unintelligible, as they whose duty it has been to examine, or to act under it, can well testify. To prevent any further accumulation to this chaotic mass, was the object of the constitutional provisions under consideration."—*Walker vs. Caldwell* 4 La. An. 298.

If such were the history and intent of this constitutional prohibition, we think we are prepared to say that the provisions of the bill before us are not so various and diverse, so foreign to

each other and the general subject of the bill, nor such distinct matters of legislation, as to be excluded by the constitution from one bill. Especially in view of our previous examination of those separate provisions, do we believe that they all have so natural and necessary a connection, each one being indispensable to the life of the other, and wanting any one of which, the whole will be inoperative, that they can constitutionally be included in one bill.

While we would not quote legislative acts, similar to this bill, as authoritative precedent, we can refer to them as showing that bills in this form are not new nor uncommon. Act No. 78 of the session laws of 1863, to organize the county of Antrim, is similar to the bill under consideration; so are acts numbered 129 and 213 of the session laws of 1861. Nor would the Supreme Court of this State disturb those acts at this late day, whatever might have been its decision, had the question been raised immediately. (*See 15 Mich. Rep., pp. 470 and 471; 19 N. Y., 41 and 20 N. Y., 447.*)

In conclusion, your committee would respectfully but earnestly call the attention of the members of this House, to chapter 6, of "Cooley's Constitutional Limitations," and recommend its careful reading by all legislators. We might have extended quotations and authorities indefinitely, but instead, would refer to said chapter 6, in which will be found all necessary references.

Your committee would therefore report the said bill back to the House, without amendment, and unanimously recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Acting Chairman.*

Report accepted and committee discharged.

The bill having been read a third time, and the question being upon its passage,

It was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Avery,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
G. G. Briggs,  
R. V. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Crane,  
Crossman,  
Curry,  
Davis,  
Doty,  
Eaton,  
Eck,  
Elliott,  
Fenner,  
Fuller,  
Gay,  
Goodrich,  
Grant,  
Harris,  
Holt,

Mr. Hubbard,  
Hunt,  
Hurlbut,  
Huston,  
Hutchinson,  
Ingersoll,  
Jewell,  
L. Kendrick,  
Kingsley,  
Klein,  
Lane,  
Lovell,  
Mandigo,  
Mason,  
McCowan,  
McKernan,  
Mead,  
Miller,  
Millington,  
Mitchell,  
Murray,  
Newman,  
Norton,  
Purcell,  
Putnam,  
Riopella,  
Romeyn,

Mr. Shaw,  
Sheldon,  
Shier,  
Sickles,  
Slayton,  
Smith,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Vowles,  
Wagner,  
Walker,  
Walton,  
Weier,  
Wendell,  
Westover,  
White,  
Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker, 81

## NAYS.

0

Mr. Mitchell moved to amend the title by adding thereto, "and the townships of Hanover, Wexford, Colfax and Springville therein;"

Which motion prevailed.

The title as amended was agreed to.

On motion of Mr. Baxter,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of New Buffalo, Berrien county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, be ordered printed and referred to the committee of the whole for consideration.

D. L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Crossman,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred Senate bill No. 78, entitled

A bill to amend sections one, two, three, four, five, six and thirteen, of chapter one hundred and twenty-six, of the revised statutes of 1846, entitled "Of certain liens upon real property," being sections numbered 5068, 5069, 5070, 5071, 5072, 5073 and 5080, of chapter 154, of compiled laws, entitled "Of the lien of mechanics and others;"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cogshall,

The House concurred in the amendment made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

**HOUSE REPORTS**

**REPORT OF THE HOUSE COMMITTEE ON EDUCATION**

SENATE CHAMBER,  
January 10, 1869. }

At the meeting of the House of Representatives

the following resolutions were adopted: Resolved, That the following

resolutions be reported:

1. That the sum of \$100,000 be appropriated for the purpose of incorporating the sum of \$100,000 in the year 1865," being the sum of \$100,000 in the year 1865 for the year 1865.

2. That the sum of \$100,000 be appropriated for the purpose of incorporating the sum of \$100,000 in the year 1865," being the sum of \$100,000 in the year 1865 for the year 1865.

3. By striking out in the first subdivision of section 9, the words "and the sum of \$100,000 in the year 1865,"

4. By striking out in the fourth subdivision of section 9, the word "and" and inserting in place thereof the word "and."

In the passage of which, as first amended, the Senate has concurred by a majority vote of all the Senators elect, and has declared the same to have immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

**HENRY S. SLEEPER,**

Secretary of the Senate.

Mr. Howe moved that the House concur in the amendments made in the bill by the Senate.

Which motion prevailed by yeas and nays, as follows:

**YEAS**

Mr. Avery	Mr. Cook	Mr. Shaw,
Barnes	Farmer	Sheldon,
Barney	Howard	Slater,
Beal	McLean	Siebel,
Blair	Winters	Snyder,
Brown	Wright	Smith,
C. C. Brown	Wood	Stannard,
Edwards	L. Kendrick	Stewart,



Cameron,	Kingsley,	Stockbridge,
B. Clark,	Klein,	Swift,
O. Clark,	Lane,	Ternes,
Crane,	Mandigo,	Wagner,
Crossman,	McCowen,	Walker,
Curry,	McKernan,	Walton,
Davis,	Mead,	Weier,
Doty,	Millington,	Wendell,
Eaton,	Mitchell,	Westover,
Eck,	Murray,	White,
Elliott,	Newman,	H. G. Williams,
Fenner,	Norton,	J. A. Williams,
Fuller,	Purcell,	W. D. Williams,
Gay,	Putnam,	Woodard,
Goodrich,	Riopelle,	Yawkey,
Grant,	Romeyn,	Sperker,
Harris,		

73

NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 10, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 94, entitled

A bill to legalize the action of certain towns in the counties of Livingston, Washtenaw and Wayne, in voting aid to the Detroit and Howell railroad;

In the passage of which the Senate has concurred, by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

On motion of Mr. Gay,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 10, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 188, entitled

A bill to incorporate the village of Rochester,

And to inform the House that the Senate has amended the same, by striking out in line 13, of section 13, the word "treasurer," and inserting in place thereof the word "marshal;" also, by striking out in line 2 of same section the words "who shall not," and inserting in place thereof the word "shall;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Shaw moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Avery,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
Boynton,  
B. Clark,  
Curry,  
Davis,  
Doty,  
Eaton,

Mr. Ingersoll,  
Jewell,  
L. Kendrick,  
Kingsley,  
Klein,  
Lane,  
Lovell,  
Mandigo,  
McCowen,  
Miller,  
Millington,  
Mitchell,

Mr. Sheldon,  
Shier,  
Sickels,  
Smith,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Wagner,  
Walton,

Elliott,  
Fenner,  
Fuller,  
Gay,  
Grant,  
Harris,  
Holt,  
Hubbard,  
Hurlbut,  
Hutchinson,

Murray,  
Newman,  
Norton,  
Purcell,  
Putnam,  
Riopelle,  
Romeyn,  
Sanford,  
Shaw,

Weier,  
Wendell,  
Westover,  
White,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Yawkey,  
Speaker.

64

NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 10, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 96, entitled

A bill to organize the township of Mayfield, in the county of Lapeer;

And to inform the House that the Senate has amended the same by striking out in section 1, all of line 2 after the word "except," and all of line 3, and inserting in place thereof the words "the south half of section 32, the southwest quarter of section 33, the southeast quarter of section 31, and the east half of the southwest quarter of section;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Barnaby moved that the House concur in the amendment made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

## YEAS.

Mr. Barnaby,	Mr. Ingersoll,	Mr. Shier,
Baxter,	Jewell,	Smith,
Beall,	Kingsley,	Snell,
Blake,	Klein,	Stannard,
Bostwick,	Lane,	Stewart,
Boynton,	Lovell,	Stockbridge,
G. G. Briggs,	Mandigo,	Swift,
B. Clark,	McCowen,	Ternes,
Curry,	McKernan,	Vowles,
Davis,	Miles,	Wagner,
Doty,	Miller,	Walker,
Eaton,	Millington,	Walton,
Elliott,	Murray,	Weier,
Fenner,	Newman,	Wendell,
Fuller,	Norton,	Westover,
Gay,	Purcell,	White,
Harris,	Putnam,	H. G. Williams,
Holt,	Riopelle,	J. A. Williams,
Hubbard,	Romeyn,	Yawkey,
Hurlbut,	Shaw,	Speaker.
Hutchinson,	Sheldon,	

28

## NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 10th, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House manuscript bill, entitled

A bill to extend the time for the collection of certain drain taxes in the township of Zeeland, in the county of Ottawa;

2. House bill No. 184, entitled

A bill to revise the charter of the village of Wenona;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same

to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, March 10, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 155, entitled

A bill to amend sections 7, 87, 91, 92, 94, 160 and 213, of act No. 215, of the laws of 1859, entitled "An act to re-incorporate the city of Owosso," approved February 15, 1865;

2. Senate bill No. 134, entitled

A bill to authorize and require the Commissioner of the Land Office to furnish certified copies of field notes, maps, records and other papers, pertaining to land titles, and to declare the effect thereof, as evidence in suits at law or equity;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary:

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 10, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following joint resolutions:

1. Senate joint resolution No. 19, entitled  
Joint resolution relative to an outstanding treasury warrant;
2. Senate joint resolution No. 4, entitled

Joint resolution asking the General Government for the substitution of even for odd sections, in the appropriation of lands to aid in the construction of wagon roads, to extend the time of construction, and to authorize the State to sell the same,

Which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named joint resolution was read a first and second time by its title, and referred to the committee on federal relations.

The second named joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 10, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 73, entitled

A bill to incorporate the village of Lawrence, in the county of Van Buren,

And to inform the House that the Senate has amended the same as follows:

1. By striking out in line 18, of section 3, the words "or on the next day;"

2. By inserting after the word "writing," in line 1, of section 4, the words "by posting the same," also by striking out in lines 7 and 8, of same section, the words "and impartially to execute and;"

3. By striking out in line 25, of section 21, the word "absolute;"

4. By inserting after the word "shall," in line 3, of section 23, the words "have attached to it the proper warrant for the collection of the taxes therein levied and;"

5. By striking out in lines 5 and 6, of section 27, the words "also for establishing the line upon which buildings may be erected, and beyond which such buildings shall not extend;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Shaw moved that the House concur in the amendments made to the bill by the committee;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Avery,	Mr. Hutchinson,	Mr. Shaw,
Barnaby,	Ingersoll,	Shier,
Beall,	Jewell,	Sickels,
Blake,	L. Kendrick,	Smith,
Bostwick,	Kingsley,	Snell,
Boynton,	Lane,	Stannard,
Cameron,	Lovell,	Stewart,
B. Clark,	Mandigo,	Swift,
O. Clark,	McCowen,	Ternes,
Curry,	McKernan,	Vowles,
Davis,	Miles,	Wagner,
Doty,	Miller,	Walker,
Eaton,	Millington,	Walton,
Eck,	Mitchell,	Ward,
Elliott,	Murray,	Weier,
Fenner,	Newman,	White,
Fuller,	Plimpton,	Wilcox,

## YEAS.

Mr. Avery,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
G. G. Briggs,  
R. V. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Crane,  
Crossman,  
Curry,  
Davis,  
Doty,  
Eaton,  
Eck,  
Elliott,  
Fenner,  
Fuller,  
Gay,  
Goodrich,  
Grant,  
Harris,  
Holt,

Mr. Hubbard,  
Hunt,  
Hurlbut,  
Huston,  
Hutchinson,  
Ingersoll,  
Jewell,  
L. Kendrick,  
Kingsley,  
Klein,  
Lane,  
Lovell,  
Mandigo,  
Mason,  
McCowen,  
McKernan,  
Mead,  
Miller,  
Millington,  
Mitchell,  
Murray,  
Newman,  
Norton,  
Purcell,  
Putnam,  
Riopelle,  
Romeyn,

Mr. Shaw,  
Sheldon,  
Shier,  
Sickles,  
Slayton,  
Smith,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Vowles,  
Wagner,  
Walker,  
Walton,  
Weier,  
Wendell,  
Westover,  
White,  
Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker, 81

## NAYS.

0

Mr. Mitchell moved to amend the title by adding thereto, "and the townships of Hanover, Wexford, Colfax and Springville therein;"

Which motion prevailed.

The title as amended was agreed to.

On motion of Mr. Baxter,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of New Buffalo, Berrien county,



Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, be ordered printed and referred to the committee of the whole for consideration.

D. L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Crossman,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred Senate bill No. 78, entitled

A bill to amend sections one, two, three, four, five, six and thirteen, of chapter one hundred and twenty-six, of the revised statutes of 1846, entitled "Of certain liens upon real property," being sections numbered 5068, 5069, 5070, 5071, 5072, 5073 and 5080, of chapter 154, of compiled laws, entitled "Of the lien of mechanics and others;"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cogshall,

The House concurred in the amendment made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

## MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, March 10, 1869. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House manuscript bill, entitled

A bill to revise and amend an act entitled "An act to incorporate the city of Bay City, approved March 21, 1865," being act No. 348 of the session laws of this State, for the year 1867,

And to inform the House that the Senate has amended the same as follows:

1. By striking out in the first subdivision of section 9, the words "and elsewhere in the said county of Bay;"

2. By striking out in the thirtieth subdivision of section 9, the word "pin," and inserting in place thereof the word "bowling;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Shaw moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

## YEAS.

Mr. Avery,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
G. G. Briggs,  
Brownell,

Mr. Holt,  
Horton,  
Hubbard,  
Hurlbut,  
Huston,  
Hutchinson,  
Jewell,  
L. Kendrick,

Mr. Shaw,  
Sheldon,  
Shier,  
Sickels,  
Slayton,  
Smith,  
Stannard,  
Stewart,

Cameron,	Kingsley,	Stockbridge,
B. Clark,	Klein,	Swift,
O. Clark,	Lane,	Ternes,
Crane,	Mandigo,	Wagner,
Crossman,	McCowen,	Walker,
Curry,	McKernan,	Walton,
Davis,	Mead,	Weier,
Doty,	Millington,	Wendell,
Eaton,	Mitchell,	Westover,
Eck,	Murray,	White,
Elliott,	Newman,	H. G. Williams,
Fenner,	Norton,	J. A. Williams,
Fuller,	Purcell,	W. D. Williams,
Gay,	Putnam,	Woodard,
Goodrich,	Riopelle,	Yawkey,
Grant,	Romeyn,	Sperker,
Harris,		

73

NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, March 10, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 94, entitled

A bill to legalize the action of certain towns in the counties of Livingston, Washtenaw and Wayne, in voting aid to the Detroit and Howell railroad;

In the passage of which the Senate has concurred, by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

On motion of Mr. Gay,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 10, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 188, entitled

A bill to incorporate the village of Rochester,

And to inform the House that the Senate has amended the same, by striking out in line 13, of section 13, the word "treasurer," and inserting in place thereof the word "marshal;" also, by striking out in line 2 of same section the words "who shall not," and inserting in place thereof the word "shall;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Shaw moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

#### YEAS.

Mr. Avery,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
Boynton,  
B. Clark,  
Curry,  
Davis,  
Doty,  
Eaton,

Mr. Ingersoll,  
Jewell,  
L. Kendrick,  
Kingsley,  
Klein,  
Lane,  
Lovell,  
Mandigo,  
McCowen,  
Miller,  
Millington,  
Mitchell,

Mr. Sheldon,  
Shier,  
Sickels,  
Smith,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Wagner,  
Walton,

Elliott,	Murray,	Weier,
Fenner,	Newman,	Wendell,
Fuller,	Norton,	Westover,
Gay,	Purcell,	White,
Grant,	Putnam,	H. G. Williams,
Harris,	Riopelle,	J. A. Williams,
Holt,	Romeyn,	W. D. Williams,
Hubbard,	Sanford,	Yawkey,
Hurlbut,	Shaw,	Speaker.
Hutchinson,		

64

NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 10, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 96, entitled

A bill to organize the township of Mayfield, in the county of Lapeer;

And to inform the House that the Senate has amended the same by striking out in section 1, all of line 2 after the word "except," and all of line 3, and inserting in place thereof the words "the south half of section 32, the southwest quarter of section 33, the southeast quarter of section 31, and the east half of the southwest quarter of section;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Barnaby moved that the House concur in the amendment made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

## YEAS.

Mr. Barnaby,	Mr. Ingersoll,	Mr. Shier,
Baxter,	Jewell,	Smith,
Beall,	Kingsley,	Snell,
Blake,	Klein,	Stannard,
Bostwick,	Lane,	Stewart,
Boynton,	Lovell,	Stockbridge,
G. G. Briggs,	Mandigo,	Swift,
B. Clark,	McCowen,	Ternes,
Curry,	McKernan,	Vowles,
Davis,	Miles,	Wagner,
Doty,	Miller,	Walker,
Eaton,	Millington,	Walton,
Elliott,	Murray,	Weier,
Fenner,	Newman,	Wendell,
Fidler,	Norton,	Westover,
Gay,	Purcell,	White,
Harris,	Putnam,	H. G. Williams,
Holt,	Riopelle,	J. A. Williams,
Hubbard,	Romeyn,	Yawkey,
Hurlbut,	Shaw,	Speaker.
Hutchinson,	Sheldon,	

28

## NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 10th, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House manuscript bill, entitled

A bill to extend the time for the collection of certain drain taxes in the township of Zeeland, in the county of Ottawa;

2. House bill No. 184, entitled

A bill to revise the charter of the village of Wenona;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same

to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, March 10, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 155, entitled

A bill to amend sections 7, 87, 91, 92, 94, 160 and 213, of act No. 215, of the laws of 1859, entitled "An act to re-incorporate the city of Owosso," approved February 15, 1865;

2. Senate bill No. 134, entitled

A bill to authorize and require the Commissioner of the Land Office to furnish certified copies of field notes, maps, records and other papers, pertaining to land titles, and to declare the effect thereof, as evidence in suits at law or equity;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 10, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following joint resolutions:

1. Senate joint resolution No. 19, entitled

Joint resolution relative to an outstanding treasury warrant;

2. Senate joint resolution No. 4, entitled

Joint resolution asking the General Government for the substitution of even for odd sections, in the appropriation of lands to aid in the construction of wagon roads, to extend the time of construction, and to authorize the State to sell the same,

Which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named joint resolution was read a first and second time by its title, and referred to the committee on federal relations.

The second named joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 10, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 73, entitled

A bill to incorporate the village of Lawrence, in the county of Van Buren,

And to inform the House that the Senate has amended the same as follows:

1. By striking out in line 18, of section 3, the words "or on the next day;"



2. By inserting after the word "writing," in line 1, of section 4, the words "by posting the same," also by striking out in lines 7 and 8, of same section, the words "and impartially to execute and;"

3. By striking out in line 25, of section 21, the word "absolute;"

4. By inserting after the word "shall," in line 3, of section 23, the words "have attached to it the proper warrant for the collection of the taxes therein levied and;"

5. By striking out in lines 5 and 6, of section 27, the words "also for establishing the line upon which buildings may be erected, and beyond which such buildings shall not extend;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Shaw moved that the House concur in the amendments made to the bill by the committee;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Avery,	Mr. Hutchinson,	Mr. Shaw,
Barnaby,	Ingersoll,	Shier,
Beall,	Jewell,	Sickels,
Blake,	L. Kendrick,	Smith,
Bostwick,	Kingsley,	Snell,
Boynton,	Lane,	Stannard,
Cameron,	Lovell,	Stewart,
B. Clark,	Mandigo,	Swift,
O. Clark,	McCowen,	Ternes,
Curry,	McKernan,	Vowles,
Davis,	Miles,	Wagner,
Doty,	Miller,	Walker,
Eaton,	Millington,	Walton,
Eck,	Mitchell,	Ward,
Elliott,	Murray,	Weier,
Fenner,	Newman,	White,
Fuller,	Plimpton,	Wilcox,

Grant,  
Harris,  
Horton,  
Hubbard,  
Hurlbut,

Purcell,  
Putnam,  
Riopelle,  
Romeyn,  
Seward,

H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Yawkey,  
Speaker, 66

NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 10, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House bill No. 80, entitled

A bill to prevent obstructions being so placed in the channel of the north fork of Bad river, or any of its branches, in the counties of Gratiot and Saginaw, as to prevent the free passage of fish up or down said streams;

2. House bill No. 103, entitled

A bill to legalize the action of the school inspectors of the townships of Albion and Sheridan, in the county of Calhoun, and State of Michigan, in the consolidation of certain school districts;

3. House bill No. 115, entitled

A bill to revive and continue in force an act entitled "An act to charter the village of New Baltimore," approved March 23, 1867, and to amend sections 1 and 2 of said act;

4. House bill No. 126, entitled

A bill to amend section 20, of an act entitled "An act to incorporate the village of Dansville," approved March 9, 1867, being act No. 307, of the session laws of 1867;

5. House bill No. 134, entitled

A bill to incorporate the village of Leslie;

6. House bill No. 139, entitled

A bill to amend section 2, of act No. 297, of the session laws of 1865, entitled "An act to appropriate the highway taxes

upon certain lands of non-residents, in the townships of Orange, Sebewa and Danby, in the county of Ionia, for the purpose of improving the Grand River turnpike, in said townships," and to add a new section thereto, to stand as section 9;

In the passage of which the Senate has concurred, by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The several named bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 10, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House bill No. 62, entitled

A bill authorizing the locating, establishing and construction of ditches, drains and water-courses, by highway commissioners of townships, and repealing all acts relating thereto;

2. House manuscript bill, entitled

A bill to authorize the township of Bennington, in the county of Shiawassee, to raise by tax a certain sum of money for the relief of George W. Hunt;

In the passage of which the Senate has concurred, by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 10, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following joint resolution:

House manuscript joint resolution, entitled

Joint resolution for the relief of Mason Samson;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The joint resolution was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 10, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to re-transmit the following bill:

Senate bill No. 70, entitled

A bill to provide for the payment of the salaries of the State officers for the years 1869 and 1870;

Which the House amended by striking out in sections 1 and 2, the word "twelve," and inserting the word "fourteen" in lieu thereof; in line 13, of sections 1 and 2, by striking out the words "one thousand," and inserting the words "twelve hundred" in lieu thereof; in line 18, of sections 1 and 2, by striking out the word "four," and inserting the word "six" in lieu thereof; also, in line 18, of sections 1 and 2, by inserting the words "and one regular clerk of the Secretary of State," after the words "Auditor General;"

And to inform the House that the Senate does not concur in said amendments.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Holt moved that the House insist on its amendments;  
Which motion prevailed.

Mr. Holt moved that a committee of conference of three on the part of the House, and two on the part of the Senate, be appointed to consider the disagreement between the two Houses in regard to said bill;

Which motion prevailed.

The Speaker announced as such committee, on the part of the House, Messrs. Holt, Sanford and W. D. Williams.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 10, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 92, entitled

A bill to prevent trespass upon cranberry marshes;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

On motion of Mr. Millington,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 10, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 87, entitled

A bill to amend section 5, of chapter 185, being section 5860 of the compiled laws, of offenses against chastity, morality and decency;

And to inform the House that the Senate does not concur in its passage.

Very respectfully,

HENRY S. SLEEPER

*Secretary of the Senate.*

On motion of Mr. Sanford,

The bill was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 10, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill

House bill No. 93, entitled

A bill to amend section 15, of an act entitled "An act to provide for the incorporation of villages," approved February 17, 1857, being section 2112 of the compiled laws;

And to inform the House that the Senate has adopted the accompanying substitute therefor;

In the passage of which, as thus substituted, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Baxter moved that the House concur in the adoption of the substitute adopted for the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

## YEAS.

Mr. Avery,	Mr. Hurlbut,	Mr. Shier,
Baxter,	Hutchinson,	Sickels,
Beall,	Jewell,	Snell,
Blake,	L. Kendrick,	Stewart,
Bostwick,	Lovell,	Ternes,
Boynton,	McCowen,	Thompson,
G. G. Briggs,	McKernan,	Vowles,
B. Clark,	Miller,	Wagner,
O. Clark,	Millington,	Walker,
Crane,	Murray,	Walton,
Curry,	Norton,	Weier,
Davis,	Plimpton,	Wendell,
Elliott,	Purcell,	White,
Fenner,	Putnam,	Wilcox,
Fuller,	Riopelle,	J. A. Williams,
Gay,	Romeyn,	W. D. Williams,
Goodrich,	Sanford,	Woodard.
Grant,	Seward,	Yawkey,
Hubbard,	Shaw,	Speaker,
Hunt,	Sheldon,	

59

## NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 10, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following joint resolutions:

1. House joint resolution No. 3, entitled

Joint resolution asking the Congress of the United States to make an appropriation for the completion of the harbor at the mouth of the Ontonagon river;

2. House joint resolution No. 14, entitled

Joint resolution for the relief of Charles Chandler, administrator of the estate of James McDonald, deceased;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The joint resolutions were referred to the committee on engrossment and enrollment, for enrollment.

THIRD READING OF BILLS.

House bill No. 130, entitled

A bill to provide for the draining of swamps, marshes and other low lands,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Baxter,

The bill was ordered printed, and recommitted to the committee on drainage.

MOTIONS AND RESOLUTIONS.

Mr. Ashley offered the following:

*Resolved*, That the use of this hall be granted to Miss Eliza Shier, of Ypsilanti, to give a lecture, for the benefit of the Freedmen's orphans, on Friday evening, March 19th instant;

Which was adopted.

Mr. Yawkey moved to discharge the committee of the whole from the further consideration of Senate bill No. 122, entitled

A bill to organize the township of Gladwin;

Which motion prevailed.

On motion of Mr. Yawkey,

The bill was placed on its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Sanford moved to amend by striking out in line 3, of section 2, the words "Merrill Seward," and inserting in lieu thereof "Marvil Secord;"

Which motion prevailed.



The bill was then passed, a majority of all the members elect. voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Harris,	Mr. Riopelle,
Avery,	Holt,	Romeyn,
Barnaby,	Hubbard,	Sanford,
Baxter,	Hunt,	Seward,
Beall,	Hurlbut,	Shaw,
Blake,	Hutchinson,	Sheldon,
Bostwick,	Ingersoll,	Sickels,
Boynnton,	Jewell,	Smith,
G. G. Briggs,	L. Kendrick,	Stewart,
Cameron,	Kingsley,	Swift,
B. Clark,	Klein,	Thompson,,
O. Clark,	Lovell,	Walker,
Curry,	McKernan,	Walton,,
Davis,	Mead,	Ward,
Doty,	Miles,	Weier,
Eaton,	Miller,	White,
Eck,	Millington,	Wilcox,
Elliott,	Mitchell,	H. G. Williams,
Fenner,	Murray,	J. A. Williams,
Fuller,	Newman,	W. D. Williams,,
Gay,	Norton,	Woodard,
Gifford,	Purcell,	Yawkey,
Grant,	Putnam,	Speaker, 69

## NAYS.

0

Title agreed to.

On motion of Mr. Yawkey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Eaton moved to discharge the committee of the whole from the further consideration of House bill No. 186, entitled.

A bill to amend the charter of the city of Jackson;

Which motion prevailed.

On motion of Mr. Eaton,

The bill was placed on the order of third reading.

Mr. Hurlbut offered the following:

*Resolved*, That the Auditor General be and he is hereby requested, at the earliest day consistent, to report for the information of this House, the entire expense consequent upon con-

ducting and carrying on the Auditor General's Office of this State, for the years A. D. 1867 and 1868. Said report to specify as nearly as may be, the amount paid for clerks' hire, and all other service; also, for books and blanks, stationery, printing, postage, express charges, and all materials and articles for use in connection with said office; also, the amount paid to county treasurers or others, for or on account of the return and sale of lands; for or on account of non-payment of taxes for the years above stated;

Which was adopted.

Mr. Boynton moved to discharge the committee of the whole from the further consideration of Senate bill No. 92, entitled  
A bill in relation to life insurance companies transacting business within this State;

Which motion did not prevail.

Mr. Sickels moved to discharge the committee of the whole from the further consideration of House bill No. 116, entitled

A bill to authorize the trustees of the village of St. Johns to levy a tax of five thousand dollars, for a court house for Clinton county;

Which motion prevailed.

On motion of Mr. Sickels,

The bill was placed on the order of third reading.

Mr. Snell moved to discharge the committee of the whole from the further consideration of Senate bill No. 131, entitled

A bill to detach certain territory from the township of Hume, in the county of Huron, and attach the same to the township of Port Austin;

Which motion prevailed.

On motion of Mr. Snell,

The bill was placed on the order of third reading.

Mr. Huston moved to take from the table Senate bill No. 141, entitled

A bill to amend section 24, of chapter 140, of the revised statutes of 1846, being section 5384, of the compiled laws, rel-

ative to the limitation of actions, and to repeal act No. 30, of the session laws of 1867;

Which motion prevailed.

On motion of Mr. Huston,

The bill was placed on the order of third reading.

UNFINISHED BUSINESS,

Being the consideration of the following concurrent resolution:

*Resolved by the House of Representatives, (the Senate concurring,) That the acts passed by the Legislature of the State of Michigan, at the session of 1869, shall be so printed as to be bound in two volumes, the first volume to contain all acts of a general nature, joint and concurrent resolutions, and the second volume to contain the charters and amendments to charters of municipalities, and other acts of a local character;*

Which was adopted.

GENERAL ORDER.

On motion of Mr. Blake,

The House went into committee of the whole, on the general order,

Mr. Crossman in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 161, entitled

A bill making an appropriation of two additional sections of State swamp land, to secure the completion of the Ionia and Smyrna State road, established under act No. 55, session laws of 1864;

2. House bill No. 162, entitled

A bill to amend section 5, of chapter 86, of the revised statutes of 1846, the same being section 3303, of chapter 110, of the compiled laws of 1857;

Have made no amendments thereto, and have directed their

chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill:

3. House bill No. 165, entitled

A bill for the protection of fish in the lakes known as Devil's Lake and Round Lake, in Lenawee county;

4. House bill No. 166, entitled

A bill to authorize judges of probate of certain counties to appoint a register, and prescribing his duties and compensation;

5. House bill No. 167, entitled

A bill to amend act No. 66, of the session laws of 1867, approved March 20, 1867, being an act to amend an act entitled an act to amend act No. 328, of the session laws of 1865, being an act entitled an act to provide for the erection and maintenance of shutes for the passage of fish through the dams across the streams of this State;

6. House bill No. 169, entitled

A bill to amend sections four and seven of an act entitled "an act to authorize the township of Holland, and other townships in the counties of Ottawa and Allegan, to make loans and levy taxes for the improvement of the harbor at the mouth of North Black river, in Ottawa county, approved March 5, 1858;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled joint resolution:

House joint resolution No. 21, entitled

Joint resolution to forfeit the lands granted to the Marquette and Ontonagon Railroad Company, and to confer the said grant of lands upon some other company;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bill:

House bill No. 170, entitled

A bill to authorize any township or city, in either, of the counties of Allegan, Van Buren and Barry, to vote aid to railroads, to vote to raise money by tax, and pledge its credit to aid in the construction of railroads in either of said counties;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

DAN'L L. CROSSMAN, *Chairman.*

Report accepted.

The first and second named bills were placed on the order of third reading.

On motion of Mr. Baxter,

The House concurred in the amendments made to the third, fourth, fifth and sixth named bills, and the joint resolution, and the bills and joint resolution were placed on the order of third reading.

Leave was granted the committee to sit again, in consideration of the last named bill.

On motion of Mr. R. V. Briggs,

The House took a recess until 2 o'clock this afternoon.

---

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

MESSAGES FROM THE SENATE.

By unanimous consent, the Speaker announced the following:

SENATE CHAMBER, }  
Lansing, March 11, 1869. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House manuscript bill, entitled

A bill to amend an act entitled "An act to revise and amend the charter of the city of Saginaw," approved February 5, 1859, as amended by act No. 39, of the session laws of 1863, and by act No. 122, of the session laws of 1865, and by act No. 496, of the session laws of 1867;

And to inform the House that the Senate has amended the same as follows:

1. By striking out in line 8, of section 8, the words "and their city attorney;"

2. By striking out in lines 13 and 14, of section 54, the words "He shall be a member of the board of supervisors of Saginaw county;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Yawkey moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Gay,	Mr. Putnam,
Avery,	Goodrich,	Romeyn,
Barnaby,	Grant,	Seward,
Baxter,	Harris,	Sheldon,
Bostwick,	Holt,	Sickels,
Boynton,	Hurlbut,	Snell,
G. G. Briggs,	Hutchinson,	Stannard,
R. V. Briggs,	Ingersoll,	Stewart,
Brownell,	Jewell,	Swift,
Cameron,	L. Kendrick,	Ternes,
B. Clark,	Kingsley,	Thompson,
O. Clark,	Klein,	Vowles,
Crane,	Lovell,	Wagner,
Crossman,	Mead,	Walker,
Curry,	Miller,	Walton,

Davis,  
Doty,  
Eaton,  
Eck,  
Elliott,  
Fenner,  
Fuller,

Millington,  
Mitchell,  
Murray,  
Norton,  
Plimpton,  
Purcell,

Wilcox,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker,

64

NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

## GENERAL ORDER.

On motion of Mr. Baxter,

The House went into committee of the whole, on the general order,

Mr. Crossman in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 170, entitled

A bill to authorize any township or city, in either of the counties of Allegan, Van Buren and Barry, to vote aid to railroads; to vote to raise money by tax, and pledge its credit to aid in the construction of railroads in either of said counties;

2. House bill No. 154, entitled

A bill to enable married women to bar their right of dower;

3. House bill No. 158, entitled

A bill to amend section 535 of the compiled laws, relating to the canvass of votes in townships;

4. House bill No. 174, entitled

A bill appropriating certain non-resident highway taxes for the improvement of the Ovid and St. Charles State road;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following bills:

SENATE CHAMBER,  
Lansing, March 10, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 87, entitled

A bill to amend section 5, of chapter 185, being section 5860 of the compiled laws, of offenses against chastity, morality and decency;

And to inform the House that the Senate does not concur in its passage.

Very respectfully,

HENRY S. SLEEPER

*Secretary of the Senate.*

On motion of Mr. Sanford,

The bill was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 10, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill

House bill No. 93, entitled

A bill to amend section 15, of an act entitled "An act to provide for the incorporation of villages," approved February 17, 1857, being section 2112 of the compiled laws;

And to inform the House that the Senate has adopted the accompanying substitute therefor;

In the passage of which, as thus substituted, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Baxter moved that the House concur in the adoption of the substitute adopted for the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:



## YEAS.

Mr. Avery,	Mr. Hurlbut,	Mr. Shier,
Baxter,	Hutchinson,	Sickels,
Beall,	Jewell,	Snell,
Blake,	L. Kendrick,	Stewart,
Bostwick,	Lovell,	Ternes,
Boydton,	McCowan,	Thompson,
G. G. Briggs,	McKernan,	Vowles,
B. Clark,	Miller,	Wagner,
O. Clark,	Millington,	Walker,
Crane,	Murray,	Walton,
Curry,	Norton,	Weier,
Davis,	Plimpton,	Wendell,
Elliott,	Purcell,	White,
Fenner,	Putnam,	Wilcox,
Fuller,	Riopelle,	J. A. Williams,
Gay,	Romeyn,	W. D. Williams,
Goodrich,	Sanford,	Woodard.
Grant,	Seward,	Yawkey,
Hubbard,	Shaw,	Speaker,
Hunt,	Sheldon,	

59

## NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 10, 1869. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following joint resolutions:

1. House joint resolution No. 3, entitled

Joint resolution asking the Congress of the United States to make an appropriation for the completion of the harbor at the mouth of the Ontonagon river;

2. House joint resolution No. 14, entitled

Joint resolution for the relief of Charles Chandler, administrator of the estate of James McDonald, deceased;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The joint resolutions were referred to the committee on engrossment and enrollment, for enrollment.

THIRD READING OF BILLS.

House bill No. 130, entitled

A bill to provide for the draining of swamps, marshes and other low lands,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Baxter,

The bill was ordered printed, and recommitted to the committee on drainage.

MOTIONS AND RESOLUTIONS.

Mr. Ashley offered the following:

*Resolved*, That the use of this hall be granted to Miss Eliza Shier, of Ypsilanti, to give a lecture, for the benefit of the Freedmen's orphans, on Friday evening, March 19th instant;

Which was adopted.

Mr. Yawkey moved to discharge the committee of the whole from the further consideration of Senate bill No. 122, entitled

A bill to organize the township of Gladwin;

Which motion prevailed.

On motion of Mr. Yawkey,

The bill was placed on its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Sanford moved to amend by striking out in line 3, of section 2, the words "Merrill Seward," and inserting in lieu thereof "Marvil Secord;"

Which motion prevailed.

The bill was then passed, a majority of all the members elect. voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Harris,	Mr. Riopelle,
Avery,	Holt,	Romeyn,
Barnaby,	Hubbard,	Sanford,
Baxter,	Hunt,	Seward,
Beall,	Hurlbut,	Shaw,
Blake,	Hutchinson,	Sheldon,
Bostwick,	Ingersoll,	Sickels,
Boynton,	Jewell,	Smith,
G. G. Briggs,	L. Kendrick,	Stewart,
Cameron,	Kingsley,	Swift,
B. Clark,	Klein,	Thompson,
O. Clark,	Lovell,	Walker,
Curry,	McKernan,	Walton,
Davis,	Mead,	Ward,
Doty,	Miles,	Weier,
Eaton,	Miller,	White,
Eck,	Millington,	Wilcox,
Elliott,	Mitchell,	H. G. Williams,
Fenner,	Murray,	J. A. Williams,
Fuller,	Newman,	W. D. Williams,
Gay,	Norton,	Woodard,
Gifford,	Purcell,	Yawkey,
Grant,	Putnam,	Speaker,

69

## NAYS.

0.

Title agreed to.

On motion of Mr. Yawkey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Eaton moved to discharge the committee of the whole from the further consideration of House bill No. 186, entitled,

A bill to amend the charter of the city of Jackson;

Which motion prevailed.

On motion of Mr. Eaton,

The bill was placed on the order of third reading.

Mr. Hurlbut offered the following:

*Resolved*, That the Auditor General be and he is hereby requested, at the earliest day consistent, to report for the information of this House, the entire expense consequent upon con-

has been deemed of sufficient importance to require special legislation.

HENRY H. CRAPO.

FLINT, March 9, 1869.

The communication was laid on the table.

On motion of Mr. Horton,

The House adjourned until to-morrow morning at 9 o'clock.

---

*Lansing, Friday, March 12, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Smart.

Roll called: quorum present.

Absent without leave: Messrs. Beall, Vowles, Ward and H. G. Williams.

Mr. Millington asked and obtained leave of absence for Mr. Beall, until Tuesday morning, on account of sickness.

Mr. L. Kendrick asked and obtained leave of absence for Mr. Vowles, for the day.

Mr. Swift asked and obtained leave of absence for himself, after to-day, until Tuesday morning.

Mr. W. D. Williams asked and obtained leave of absence for Mr. H. G. Williams, until Tuesday morning.

PRESENTATION OF PETITIONS.

By Mr. Gifford: memorial of Hon. Thos. Shepherd and 281 others, citizens of Martin, Allegan county, remonstrating against any unfriendly legislation towards the Grand Rapids and Indiana railroad;

Also: memorial of H. J. Chase and 45 others, citizens of Watson, Allegan county, remonstrating against the same.

Referred to the committee on internal improvements.

By Mr. Fenner: petition of Wm. R. Nims and 20 others, of Lexington, asking that the Agricultural College be connected with the University.

Referred to the committee on the Agricultural College.

## REPORTS OF STANDING COMMITTEES.

By the committee on military affairs:

The committee on military affairs, to whom was referred the petition of F. M. Howe, Benj. B. Baker and 199 other citizens of the county of Ingham, asking for the passage of a law granting bounties to volunteers who enlisted in the Union army in 1861 and 1862;

Also: numerous other petitions for the same purpose,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

G. G. BRIGGS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Horton,

The petitions were laid on the table.

By the committee on religious and benevolent societies:

The committee on religious and benevolent societies, to whom was referred

A bill granting aid to the St. Mary's hospital, of the city of Detroit,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without recommendation, and ask to be discharged from the further consideration of the subject.

JAMES ASHLEY, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Brownell,

The bill was laid on the table.

By the committee on religious and benevolent societies:

The committee on religious and benevolent societies, to whom was referred

A bill to amend chapter 68 of the compiled laws, in reference to religious societies, by adding six new sections,

Respectfully report that they have had the same under con-

sideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES ASHLEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following:

A bill to extend the time for the collection of certain drain taxes in the township of Zeeland, in the county of Ottawa;

Also,

A bill to amend act No. 246, of the session laws of 1867, being an act to amend an act entitled "An act to connect the Duncan, Alpena and Sauble river State road, with the East Saginaw and Sauble river State road," by adding one new section thereto, to stand as section five;

Also,

A bill to organize the township of Monitor, in Bay county;

Also,

A bill to change the name of the plat and village of Millville, in the county of Muskegon, to Bluffton;

Also,

A bill to legalize the action of a special township meeting of the township of Saugatuck, in the county of Allegan, held in said township January 22, A. D. 1869;

Also,

A bill to amend section 43 of an act entitled "An act to provide for the incorporation of railroad companies," approved February 12, 1855, as amended by an act amendatory thereof, approved March 27, 1867;

Also,

A bill to legalize the action of certain towns in the counties.

of Livingston, Washtenaw and Wayne, in voting aid to the Detroit and Howell railroad;

Also,

A bill to legalize the action of the school inspectors of the townships of Albion and Sheridan, in the county of Calhoun, and State of Michigan, in the consolidation of certain school districts therein;

Also,

Joint resolution asking Congress for an appropriation of money to improve the harbor at the mouth of the Cheboygan river, on the Straits of Mackinaw;

Also,

Joint resolution granting block No. 137, city of Lansing, to the city of Lansing, for a public park;

Also,

Joint resolution asking the General Government for a grant of land to aid in the construction of the Mineral Range railroad.

E. M. MASON, *Chairman.*

Report accepted.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to organize the township of Morris, in the county of Muskegon,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to organize the township of Morris, in the county of Muskegon;

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

A. H. CRANE, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Holt,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend an act entitled "An act to set off and incorporate a portion of the townships of Grand Haven and Spring Lake, in the county of Ottawa, into a city by the name of the city of Grand Haven," approved March 16, 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report and committee discharged.

On motion of Mr. Riopelle,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to amend act No. 76, of the session laws of 1867, being an act to provide for the appointment of a commissioner to be known as the Swamp Land State Road Commissioner, approved March 21, 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*



Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was recommitted House bill No. 21, entitled

A bill to amend section 4, of act No. 108, of the session laws of 1861, entitled an act to amend an act entitled an act to provide for the settlement and drainage of swamp lands by actual settlers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to amend section four, of act No. 108, of the session laws of 1861, entitled an act to amend an act entitled an act to provide for the settlement and drainage of swamp lands by actual settlers;

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, Jr., *Chairman*.

Report accepted and committee discharged.

On motion of Mr. G. G. Briggs,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to carry out the purposes of Congress in granting land for the construction of a ship canal from Portage Lake to Lake Superior,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to carry out the purposes of Congress in granting land

for the construction of a ship canal from Portage Lake to Lake Superior;

Recommending that the substitute be concurred in, and without further recommendation, ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. McKernan,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for the drainage and reclamation of swamp lands by means of a State road and ditches from Tawas Bay, in Iosco county, to the intersection of the Midland and Grand Traverse State road, in Roscommon county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the Asylum for the Deaf, Dumb and the Blind:

The committee to whom was referred that part of the Governor's message in reference to the Michigan Asylum for the education of the Deaf and Dumb, and the Blind, would respectfully report that they have had the same under consideration, and have directed me to report:

That in order to become as fully acquainted as possible with the working and wants of this important Institution, your

committee repaired to the city of Flint, on the 29th day of January, 1869, where a part of them remained several days, engaged in examining the Asylum buildings, and witnessing the exercises of the different classes. What your committee saw, convinced them of the wisdom and benevolence of the framers of act 13, section 10, of our State constitution, and of the people who ratified it, which reads as follows: "Institutions for the benefit of those inhabitants who are deaf, dumb, blind or insane, shall always be fostered and supported." Your committee are also convinced that the recommendations of our honored Governor, in his inaugural message, in reference to this Institution, are eminently wise, well considered, and should be carried out. The message reads as follows:

"The main or front building yet remains unfinished. The completed portions of the buildings are occupied to their fullest capacity, and it is believed that if the whole should be completed within the next two years, it would only accommodate the demands for admissions which are and would be made. The main front building should be finished as speedily as a due regard to a wise economy will allow."

The corner stone of this edifice was laid with appropriate ceremonies, July 15th, 1857, on which occasion Governor Kinsley S. Bingham, in his address, said: "It is peculiarly fitting and appropriate that we assemble here to-day to celebrate with honor and solemnity the commencement of an edifice which is designed to supply the enlarged wants of the State, for an institution already founded, in which, without performing miracles, the deaf have been almost made to hear, and the blind have *nearly* had their sight restored to them. The unfortunate class for whom we rear this edifice is justly entitled to our warmest sympathies, and we have the fullest confidence that the motives which have prompted our people to undertake this noble work will receive the hearty commendations of the good, both of the present and of future generations, and that the institution, whose foundations we this day lay, will diffuse the choicest blessings long after the actors in this scene shall have passed

away. As this unfortunate class for long years to come are gathered here, we trust that knowledge of the most important kind, otherwise hidden, will be revealed to them—a knowledge of the world and its enjoyments, of themselves, of their relations to their fellow-men and to their Maker—knowledge which shall fit them for usefulness and happiness here, and which shall inspire them with the hopes and prospects of the christian for the future.”

The corner-stone bears this inscription: “1857. Erected by the State of Michigan. J. B. Walker, building commissioner. J. F. Johnson, foreman of mason work; R. Van Tiffin, foreman of joiner work.”

The Hon. James B. Walker, whose name is a synonym for all that is praiseworthy in connection with this enterprise, and for whose fame this institution is a suitable and appropriate monument, caused to be deposited in this corner-stone the following list of articles:

1st. A paper containing the date of the Act of Incorporation of the Michigan Asylums; names of the original board of trustees; of the board of trustees elected in 1853; autographs of the present trustees and other officers; of the foreman of mason work, and foreman of joiner work, &c.

2d. Annual and Biennial Reports of the Boards of Trustees of the Michigan Asylums, for 1850, 1853 and 1854, and 1855 and 1856.

3d. A copy of the Session Laws of 1857.

4th. The Message of Gov. Bingham, delivered to the Legislature in January, 1857.

5th. Legislative Manual for 1857, containing the Constitution of the United States, Constitution of the State of Michigan, the Census of the State of Michigan for the years 1845, 1850 and 1854; a diagram of the Senate Chamber, and also of the Representative Hall; the names, ages, places of nativity, present place of residence, and profession of each member of the last Legislature of Michigan, and the number of the district each represents, and other valuable information; and the Annual Re-

ports of the State Treasurer, Auditor General, Commissioner of Land Office, Superintendent of Public Instruction, and Inspectors of State Prison, for 1856.

6th. Course of Instruction for the Deaf and Dumb, by Harvey P. Peet, L. L. D.

7th. Scripture Lessons, by the same author.

8th. Proceedings of the first Convention of American Instructors for the Deaf and Dumb, held in New York, in 1850.

9th. Proceedings of the second Convention, held at Hartford, Conn., in 1851.

10th. Proceedings of the third Convention, held at Columbus, Ohio, in 1853.

11th. Report of the European Institutions for the Instruction of the Deaf and Dumb, by Harvey P. Peet, L. L. D.

12th. A lithographic likeness of Rev. Thomas H. Gallaudet.

13th. Detroit City Directory for 1856 and 1857.

14th. Michigan State Gazetteer and Directory for 1856 and 1857.

15th. Proceedings and Addresses at the inauguration of the Michigan Agricultural College, at Lansing.

16th. Last Catalogue of the Michigan University, at Ann Arbor.

17th. First Annual Catalogue of the Officers and Students of Hillsdale College.

18th. Last number of the Michigan Journal of Education, edited by Rev. John M. Gregory.

19th. Copies of American Annals of D. & D., for each year of its publication.

20th. Copies of daily papers of Tuesday, July 14, 1857, Detroit Advertiser, Detroit Tribune, Detroit Free Press.

21st. The last weekly Lansing Republican, Detroit Tribune, Wolverine Citizen, and Genesee Democrat.

22d. Last Annual Report of the American Asylum at Hartford, Conn.; of the New York Institution, at New York city; of the Pennsylvania Institution, at Philadelphia; of the Ohio Institution, at Columbus; of the Indiana Institution, at Indian-

apolis; of the Illinois Institution, at Jacksonville; of the Kentucky Institution, at Dansville; of the Wisconsin Institution, at Delavan; of the Tennessee Institution, at Knoxville.

23d. Last Annual Report of the Perkins' Institution for the Blind, at Boston, Mass.; of the New York Institution for the Blind, at New York city; of the Ohio Institution for the Blind, at Columbus; of the Indiana Institution for the Blind, at Indianapolis; of the Wisconsin Institution for the Blind, at Janesville.

24th. Blind Child's First Book, prepared by Dr. Samuel G. Howe, of Boston. Bead basket, manufactured by the blind.

25th. History and description of the Michigan Asylum for the Insane, by E. H. Van Deusen, M. D.

26th. A plate engraved as follows: "1857. This edifice is erected to facilitate the mental, moral and physical improvement of those unfortunate classes of the citizens of our State, which are deprived of the senses of speaking, hearing and seeing; and is a substantial evidence of the enlarged benevolence of 'the people of the State of Michigan,' as expressed by their Legislators and constitutional representatives."

This, then, is the noble edifice that we are called upon to complete, and your committee feel honored that they, without a dissenting voice, are permitted to be the channel through which comes the recommendation that the work be finished up.

These structures will stand when our bodies shall have crumbled into dust—stand, the monuments of the liberality of the State, monuments of the benevolence, and educational enterprises of Michigan. His Excellency, the Governor, further says, "In my judgment, there has hitherto been one serious deficiency in this institution. The lack of means or facilities for instructing pupils in such branches of labor or trade as would be suited to their condition, and as would enable them, upon leaving the Asylum, more readily to obtain a livelihood. Your committee are divided in opinion, in reference to this matter, but the majority of them believe it to be an essential part of the education of these unfortunates, and a

part that has already been too long neglected. Whether the amount asked to be appropriated for this purpose, by the trustees of the Asylum, can be cut down without injustice to the pupils, we, as a committee, feel incompetent to decide, but would recommend the matter to the careful consideration of the House.

The amount needed for musical instruments, globes, maps and books for the blind may possibly seem large, but from all that your committee can learn, it is very essential. Lamartine has said that "music is the literature of the heart," and we believe this to be particularly true in the case of the blind. Dr. Fish, one of the trustees of the Asylum, eloquently says of the blind: "To them the beautiful light of Heaven shines not, flowers bloom not, charming landscapes delight not, and the smiles of friendship and love cheer not. They are blind. How dark the world seems. Their dull retina and sightless eyeballs can never be affected by any of earth's cheerful sights. They are shut up in rayless, endless, hopeless night. Now shall we not furnish them with every needed facility for improvement not only in the divine art of music, but in all the branches of study the acquisition of which is possible to them?"

The amount needed for current expenses for this institution for the ensuing two years is very large indeed, but your committee believe it to be no larger than is needed, and they are unanimous in recommending that the amount required by the trustees for this purpose, be appropriated.

Your committee are under many obligations to Prof. E. L. Bangs, principal of the Institution, for courtesies, kindness, entertainment and favors, which, only a gentleman in the true sense of the word, knows how to bestow. We believe him to be the right man in the right place.

What your committee saw, convinced them of the ability, zeal and fidelity of all the officers and teachers in the several departments of the Institution.

Your committee also desire to say that the matron, Mrs. Z. K. DeMott, we believe to be the right woman in the right place;

and we also believe that her salary is not at all commensurate with the services rendered.

The number of pupils in the Asylum is 142; of which 118 are deaf and dumb, and 24 are blind. Of their proficiency in acquiring knowledge, and of their ability to communicate it, we would speak at length, but we confess that we are inadequate to do the subject justice.

All those members of the Legislature who were present at the Asylum February 26, 1869, and witnessed that copious and universal language displayed by Miss Annie Ferguson in rendering the beautiful poem entitled "Sheridan's Ride," will appreciate how impossible it is, with our meager, barren, written language, to adequately portray the beauty, poetry and eloquence of the language of signs.

The progress of the blind is equally remarkable with that of the deaf and dumb.

The trustees, by request of the committee, have presented the estimates for which appropriations are asked, and they are as follows:

For finishing the front building, with all fixtures complete,.....	\$ 75,000 00
Portico and steps at each end of school building,.	1,000 00
Musical instruments, maps, globes and books for the blind,.....	2,500 00
Fencing, grading and making road,.....	5,000 00
Machinery, tools, stock and foremen in shops,....	15,000 00
Current expenses of the Institution for two years,.	75,000 00
Deficiency for expenses of last two years,.....	15,000 00
<b>Total, .....</b>	<b>\$188,500 00</b>

A. A. THOMPSON, *Chairman.*

Report accepted and committee discharged.

By the committee on education:

The committee on education, to whom was referred

A bill to revise an act entitled an act to incorporate the board of education of the city of East Saginaw, being act No. 263, of



the session laws of 1859, and the several acts amendatory thereto,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to legalize the action of the board of school inspectors of Adams township, in Houghton county, for the year 1867, in forming said township into one school district,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on federal relations:

The committee on federal relations, to whom was referred

Joint resolution requesting our members of Congress to use their influence in procuring the erection of a light-house at the mouth of Pere Marquette river,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

G. W. SWIFT, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on federal relations:

The committee on federal relations, to whom was referred

A bill appropriating money to assist in the erection of monuments in the public cemeteries in which are buried our Union soldiers who fell while in defense of the country,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

G. W. SWIFT, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, March 11, 1869. }

To the Speaker of the House of Representatives:

SIR—I am instructed to re-return to the House the following joint resolution:

House joint resolution No. 10, entitled

Joint resolution asking Congress for an appropriation of money, to improve Portage lake and river, in Houghton county,

Which the Senate amended, by striking out the words "His Excellency" in the first line of the second resolution,

And in which amendment the House refused to concur,

And to inform the House that the Senate insists on its amendment.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. McKernan moved that the House concur in the amendments made to the bill by the Senate;

Which motion did not prevail, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Lovell,	Mr. Smith,
Baxter,	Mandigo,	Stannard,
Bostwick,	Mason,	Stewart,
Cameron,	McCowen,	Wendell,
Elliott,	McKernan,	Wilcox,
Fenner,	Mead,	W. D. Williams,
Holt,	Miller,	Woodard,
Hubbard,	Millington,	Speaker,
Huston,	Rowlson,	

26

## NAYS.

Mr. Avery,	Mr. Harris,	Mr. Riopelle,
Barnaby,	Horton,	Romeyn,
Blake,	Hunt,	Seward,
Boynton,	Hurlbut,	Shaw,
G. G. Briggs,	Hutchinson,	Sheldon,
R. V. Briggs,	Ingersoll,	Shier,
Brownell,	Jewell,	Sickels,
B. Clark,	L. Kendrick,	Slayton,
O. Clark,	Kingsley,	Snell,
Cogshall,	Klein,	Swift,
Crane,	Miles,	Ternes,
Curry,	Mitchell,	Thompson,
Davis,	Murray,	Wagner,
Doty,	Newman,	Walker,
Eaton,	Norton,	Walton,
Eck,	Osborn,	Weier,
Fuller,	Plimpton,	Westover,
Gay,	Purcell,	White,
Gifford,	Putnam,	J. A. Williams,
Goodrich,	Riford,	Yawkey,
Grant,		

61

Pending the announcement of the vote,

Mr. Norton moved that Mr. Blake be excused from voting;

Which motion did not prevail.

Mr. Blake then voted as recorded above.

Mr. McKernan moved that a committee of conference of three on the part of the House and two on the part of the Senate, be appointed to consider the disagreement between the two Houses on said joint resolution;

Which motion prevailed.

The Chair announced as such committee on the part of the House Messrs. McKernan, Millington and Eaton.

The Sergeant-at-Arms appeared before the bar of the House with Daniel Burns in custody, arrested and brought before the bar of the House for contempt, in pursuance of special order of the House of the 24th ultimo.

Mr. Ingersoll, by unanimous consent, offered the following:

*Whereas*, This House did, on the 24th ult., adopt the following preamble and resolution:

"*Whereas*, On Monday, February 22, 1869, one Daniel Burns, of Bay City, county of Bay, did receive from the chairman of the committee on banks and incorporations, and through the courtesy of the chairman thereof, said Daniel Burns received a bill entitled a bill to amend the charter of Bay City, and still retains the same in his possession; therefore,

"*Resolved*, That the Sergeant-at-Arms is hereby directed to bring the body of said Daniel Burns before the bar of this House to answer to the charge of contempt."

*And, whereas*, On the 4th inst., the chairman of the committee on banks and incorporations made to this House the following report:

"The committee on banks and incorporations would respectfully report in relation to the missing bill, entitled 'a bill to revise the charter of Bay City,' and the resolution adopted by this House, on the 24th of February last, directing the Sergeant-at-Arms of the House to bring the body of one Daniel Burns before the bar of this House, to answer to the charge of contempt in retaining said bill in his possession; that on the 1st day of March inst., said bill was found on the desk of the chairman, left there by some person, or in some way, to your committee unknown. Said bill has been considerably mutilated and changed in several important points since last in the possession of your committee, as they are informed by the gentleman who introduced said bill into this House."

*And whereas*, This House did thereupon make the following order:

"The Sergeant-at-Arms was instructed to bring the body of Daniel Burns to the bar of the House, as heretofore instructed by resolution of the House;"

*And whereas*, In pursuance of such instruction the Sergeant-at-Arms of this House has, by virtue of the power vested in him, arrested said Daniel Burns and brought him to the bar of the House for said alleged contempt; therefore,

*Resolved*, That said Daniel Burns be remanded to the custody of the Sergeant-at-Arms, and that a select committee of five be appointed, with instructions to prepare charges and specifications in writing for the use of the Chair in the case of the alleged fraud or contempt, and that the respondent have leave to employ and appear by counsel on the floor of this House;

Which was adopted.

The Speaker appointed as such committee Messrs. Ingersoll, Huston, Fuller, Kingsley and Gay.

On motion of Mr. Ingersoll,

The matter was made the special order for this afternoon at two o'clock.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 11, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House bill No. 112, entitled

A bill to amend section 3 of an act to authorize the city of Saginaw to raise money to construct a county jail for the county of Saginaw, approved January 30, 1869;

2. House bill No. 123, entitled

A bill to authorize the assessment and collection of a tax to defray the expense of grading Cedar street, in the city of Lansing;

3. House manuscript bill, entitled

A bill to fix the time for holding the first annual election in the village of Saranac, Ionia county, being an act supplementary to an act to incorporate the village of Saranac, in Ionia county, approved March 4, A. D. 1869;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The several named bills were referred to the committee of engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 10, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 160, entitled

A bill to incorporate the village of Portsmouth;

And to inform the House that the Senate has amended the same, by striking out all of section 56 after the word "warrant" in line 4, and inserting in place thereof the words "to the sheriff or any constable of said county of Bay, or the marshal of said village, commanding him or them forthwith to bring the body of such person before him, to be dealt with according to law, and any such officer to whom such warrant shall be delivered for service is hereby required to execute the same, in any part of this State where such offender may be found, under the penalties which are by law incurred by sheriffs and other officers for neglecting or refusing to execute other criminal process;"

In the passage of which as thus amended the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Westover moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:-

## YEAS.

Mr. Ashley,	Mr. Holt,	Mr. Sanford,
Barnaby,	Horton,	Seward,
Baxter,	Hubbard,	Shaw,
Blake,	Hunt,	Sheldon,
Bostwick,	Hurlbut,	Shier,
Boynnton,	Ingersoll,	Sickels,
R. V. Briggs,	Jewell,	Slayton,
Cameron,	L. Kendrick,	Smith,
B. Clark,	Kingsley,	Snell,
O. Clark,	Lovell,	Stannard,
Cogshall,	McCowen,	Stewart,
Crane,	Mead,	Swift,
Crossman,	Miles,	Ternes,
Curry,	Miller,	Thompson,
Davis,	Millington,	Wagner,
Doty,	Mitchell,	Walker,
Eaton,	Newman,	Walton,
Eck,	Norton,	Weier,
Elliott,	Osborn,	Wendell,
Fenner,	Plimpton,	Westover,
Fuller,	Purcell,	White,
Gay,	Putnam,	Wilcox,
Gifford,	Riford,	J. A. Williams,
Goodrich,	Riopelle,	Woodard,
Grant,	Romeyn,	Yawkey,
Harris,	Rowlson,	Speaker, 78

## NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 11, 1869. }

In the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 97, entitled

A bill to delocalize State swamp land appropriations, hereto-

fore made for drainage and reclamation, by means of State roads and ditches,

And to inform the House that the Senate has amended the title thereof, so as to read as follows :

"A bill regulating the selection of lands appropriated for the construction of State roads in certain cases, and to provide for taxing the same;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Brownell moved that the House concur in the amendments made to the title of the bill by the Senate;

Which motion prevailed.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, March 11, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 128, entitled

A bill to amend an act entitled "An act to provide for the protection and preservation of fish in certain lakes in the county of Cass," approved March 26, 1867;

2. Senate manuscript bill, entitled

A bill making appropriation for the completion of the Normal School building;

3. Senate manuscript bill, entitled

A bill making an appropriation to complete the south end of the Ionia and Houghton Lake State road;

Which have passed the Senate, by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators



elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on fisheries.

The second named bill was read a first and second time by its title.

Mr. Shier moved that the bill be referred to the committee on education;

Which motion did not prevail.

The bill was then referred to the committee on ways and means.

The third named bill was read a first and second time by its title, and referred to the committee on public lands.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, March, 11, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved*, (the House concurring,) That our Senators in Congress be instructed, and our Representatives be requested, to urge upon their respective bodies the adoption of an act granting a pension of eight dollars (\$8) a month to the surviving soldiers of the war of eighteen hundred and twelve;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Rowson moved that the House concur in the adoption of the resolution;

Which motion prevailed.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 11, 1869. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to inform the House that the Senate has appointed Senators Norris and Boies a committee on the part of the Senate, to act with the committee already appointed by the House, to consider and report upon the following named bills:

Senate bill No. 84, entitled

A bill to create and regulate water companies;

House bill No. 185, entitled

A bill to authorize the formation of companies for the introduction of water into towns, cities and villages, in the State of Michigan;

House bill No. 187, entitled

A bill to authorize the formation of companies for the construction of water works in and for incorporated cities and villages; to authorize such cities and villages to subscribe stock in such companies, and to issue and sell bonds, and levy taxes for the payment thereof.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The message was laid on the table.

THIRD READING OF BILLS.

House bill No. 186, entitled

A bill to amend the charter of the city of Jackson.

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Eaton moved to amend by inserting between the words "council" and "for" in line 3 of section 39, the words: "not to exceed one-half of one per cent. on the valuation." Also: by inserting between the words "Marshal" and "or" the words "acting as street commissioner;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Hunt,	Mr. Seward
Barnaby,	Hurlbut,	Shaw,
Blake,	Jewell,	Sheldon,
Bostwick,	L. Kendrick,	Shier,
Boynton,	Kingsley,	Sickels,
G. G. Briggs,	Klein,	Slayton,
R. V. Briggs,	Lovell,	Smith,
Brownell,	Mandigo,	Snell,
B. Clark,	Mason,	Stannard,
O. Clark,	McCowen,	Stewart,
Cogshall,	McKernan,	Swift,
Crane,	Mead,	Ternes,
Crossman,	Miller,	Thompson,
Curry,	Millington,	Wagner,
Davis,	Mitchell,	Walker,
Doty,	Murray,	Walton,
Eaton,	Newman,	Weier,
Eck,	Norton,	Wendell,
Elliott,	Osborn,	Westover,
Fenner,	Plimpton,	White,
Fuller,	Purcell,	Wilcox,
Gay,	Putnam,	J. A. Williams,
Gifford,	Riopelle,	W. D. Williams,
Grant,	Romeyn,	Woodard,
Harris,	Rowlson,	Yawkey,
Holt,	Sanford,	Speaker,
Horton,		

79

## NAYS.

Mr. Baxter, Mr. Goodrich, Mr. Hutchinson, 3

Mr. Eaton moved to amend the title so that it should read, "A bill to amend sections 1, 7, 32, 39 and 44 of an act entitled an act to incorporate the city of Jackson, approved February 14, 1857;"

Which motion prevailed.

The title, as amended, was agreed to.

On motion of Mr. Eaton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 131, entitled

A bill to detach certain territory from the township of Hume, in the county of Huron, and attach the same to the township of Port Austin,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Harris,	Mr. Sanford,
Avery,	Holt,	Seward,
Barnaby,	Horton,	Shaw,
Baxter,	Hubbard,	Sheldon,
Blake,	Hunt,	Shier,
Bostwick,	Hurlbut,	Sickels,
Boynnton,	Hutchinson,	Slayton,
G. G. Briggs,	Jewell,	Smith,
R. V. Briggs,	L. Kendrick,	Snell,
Brownell,	Kingsley,	Stannard,
Cameron,	Klein,	Stewart,
B. Clark,	Lovell,	Swift,
O. Clark,	Mandigo,	Ternes,
Cogshall,	Mason,	Thompson,
Crane,	McCowan,	Wagner,
Crossman,	McKernan,	Walker,
Davis,	Mead,	Walton,
Doty,	Miller,	Weier,
Eaton,	Millington,	Wendell,
Eck,	Murray,	Westover,
Elliott,	Newman,	White,
Fenner,	Norton,	Wilcox,
Fuller,	Osborn,	J. A. Williams,
Gay,	Plimpton,	W. D. Williams,
Gifford,	Purcell,	Woodard,
Goodrich,	Putnam,	Yawkey,
Grant,	Riopelle,	Speaker,

81

## NAYS.

0

Title agreed to.

On motion of Mr. Walton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 116, entitled

A bill to authorize the trustees of the village of St. Johns to levy a tax of five thousand dollars, for a court house for Clinton county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Harris,	Mr. Rowlson,
Avery,	Holt,	Sanford,
Barnaby,	Horton,	Seward,
Baxter,	Hubbard,	Shaw,
Blake,	Hunt,	Sheldon,
Bostwick,	Hurlbut,	Shier,
Boynnton,	Hutchinson,	Sickels,
G. G. Briggs,	Jewell,	Snell,
R. V. Briggs,	L. Kendrick,	Stannard,
Brownell,	Kingsley,	Stewart,
Cameron,	Klein,	Ternes,
B. Clark,	Lovell,	Wagner,
O. Clark,	Mandigo,	Walker,
Cogshall,	McKernan,	Walton,
Crossman,	Mead,	Weier,
Davis,	Millington	Wendell,
Doty,	Mitchell,	Westover,
Eck,	Murray,	White,
Elliott,	Newman,	Wilcox,
Fenner,	Norton,	J. A. Williams,
Fuller,	Plimpton,	W. D. Williams,
Gay,	Putnam,	Woodard,
Gifford,	Riford,	Yawkey,
Goodrich,	Riopella,	Speaker.
Grant,		

73

## NAYS.

0

Title agreed to.

On motion of Mr. Sickels,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 141, entitled

A bill to amend section 24, of chapter 140, of the revised statutes of 1846, being section 5384 of the compiled laws, relative to the limitation of actions, and to repeal act number 30 of the session laws of 1867,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Williams moved to amend, by adding at the end of recited

section 24, "*And provided further*, This act shall not revive any judgment or decree, action upon which is now legally barred;"

Which was not agreed to.

Mr. Huston moved to amend the bill by striking out the proviso of recited section 24, and inserting in lieu thereof the following: "*Provided*, That in all cases of judgments or decrees entered nine years or more before this act shall take effect, one year from the time when this act shall take effect shall be allowed for the commencement of an action upon such judgment or decree, or for the institution of proceedings to revive or continue the same;"

Which was not agreed to.

On motion of Mr. Miles,

The bill was recommitted to the committee on the judiciary, House bill No. 161, entitled

A bill making an appropriation of two additional sections of State swamp land, to secure the completion of the Ionia and Smyrna State road, established under act No. 55, session laws of 1864,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Fuller,	Mr. Plimpton,
Avery,	Gay,	Shaw,
Barnaby,	Gifford,	Sheldon,
Baxter,	Grant,	Sickels,
Blake,	Holt,	Slayton,
Boynton,	Horton,	Smith,
R. V. Briggs,	Hubbard,	Snell,
Brownell,	Hunt,	Stannard,
Cameron,	Hurlbut,	Stewart,
B. Clark,	Huston,	Stockbridge,
O. Clark,	Jewell,	Wagner,
Cogshall,	L. Kendrick,	Walton,
Crane,	Kingsley,	Wendell,
Curry,	McKernan,	Westover,
Davis,	Mead,	White,
Doty,	Millington,	Wilcox,
Eaton,	Mitchell,	W. D. Williams,
Eck,	Newman,	Yawkey,
Fenner,	Norton,	Speaker, 75

## NAYS.

Mr. Bostwick,	Mr. Murray,	Mr. Seward,
Crossman,	Osborn,	Ternes,
Elliott,	Purcell,	Walker,
Goodrich,	Putnam,	Weier,
Harris,	Riford,	J. A. Williams,
Hutchinson,	Riopelle,	Woodard,
Klein,	Romeyn,	

20

Title agreed to.

On motion of Mr. Stannard,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 165, entitled

A bill for the protection of fish in the lakes known as Devil's Lake and Round Lake, in Lenawee county;

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Gifford,	Mr. Riford,
Avery,	Holt,	Sanford,
Baxter,	Horton,	Shaw,
Blake,	Huston,	Sheldon,
Bostwick,	Hutchinson,	Sickels,
Boynnton,	L. Kendrick,	Slayton,
Brownell,	Kingsley,	Smith,
Cameron,	Mason,	Stannard,
O. Clark,	McKernan,	Walker,
Cogshall,	Mead,	Walton,
Crane,	Miller,	Wendell,
Crossman,	Millington,	Wilcox,
Curry,	Mitchell,	J. A. Williams,
Davis,	Murray,	W. D. Williams,
Doty,	Newman,	Woodard,
Eck,	Norton,	Yawkey,
Fenner,	Osborn,	Speaker,
Fuller,	Putnam,	

59

## NAYS.

Mr. Barnaby,	Mr. Hubbard,	Mr. Snell,
R. V. Briggs,	Hunt,	Stewart,
B. Clark,	Klein,	Ternes,
Eaton,	Lovell,	Wagner,
Elliott,	Plimpton,	Weier,

Goodrich,  
Grant,  
Harris,

Purcell,  
Romeyn,  
Seward,

Westover,  
White,

23

Title agreed to.

House bill No. 162, entitled

A bill to amend section 5, of chapter 86, of the revised statutes of 1846, the same being section 3303, of chapter 110, of the compiled laws of 1857,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Romeyn moved to amend, by striking out the words "if living" in line 1, of recited section 5, and "themselves" in line 2, of the same section;

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,

Avery,  
Barnaby,  
Baxter,  
Bostwick,  
G. G. Briggs,  
R. V. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Curry,  
Doty,  
Eaton,  
Eck,  
Elliott,  
Fuller,  
Gay,  
Gifford,  
Goodrich,  
Grant,  
Harris,

Mr. Holt,

Hubbard,  
Hunt,  
Hurlbut,  
Hutchinson,  
Jewell,  
Kingsley,  
Klein,  
Lovell,  
Mason,  
Mead,  
Miller,  
Millington,  
Mitchell,  
Murray,  
Newman,  
Norton,  
Osborn,  
Plimpton,  
Purcell,  
Putnam,  
Riopelle,

Mr. Romeyn,

Sanford,  
Seward,  
Shaw,  
Sheldon,  
Sickels,  
Smith,  
Snell,  
Stannard,  
Swift,  
Terres,  
Thompson,  
Wagner,  
Walker,  
Walton,  
Weier,  
Westover,  
Wilcox,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker,

67

## NAYS.

0



Mr. Plimpton moved to amend the bill, by adding thereto the words "of custody of minor children."

The title as amended, was agreed to.

Mr. Plimpton moved that the bill be ordered to take immediate effect;

Which motion did not prevail.

Mr. R. V. Briggs moved that there be a call of the House;

Which motion did not prevail.

House bill No. 167, entitled

A bill to amend act No. 66, of the session laws of 1867, approved March 20, 1867, being an act to amend an act entitled an act to amend act No. 328, of the session laws of 1865, being an act entitled an act to provide for the erection and maintenance of shutes for the passage of fish through the dams across the streams of this State,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Elliott moved to amend by striking out, in line 4, of section 2, the word "June," and inserting "the tenth of June" in lieu thereof;

Which was not agreed to.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Brownell,  
Cameron.  
O. Clark,  
Cogshall,  
Davis,  
Eaton,  
Fuller,  
Gay,

Mr. Gifford,  
Grant,  
Horton,  
Hurlbut,  
Lovell,  
McKernan,  
Mead,  
Murray,  
Osborn,  
Putnam,  
Rowlson,  
Seward,

Mr. Shaw,  
Sheldon,  
Stannard,  
Stewart,  
Swift,  
Ternes,  
Walker,  
Wendell,  
Wilcox,  
Woodard,  
Speaker,

35

#### NAYS.

Mr. Bostwick,  
Boyn-ton,

Mr. Hunt,  
Huston,

Mr. Riopelle,  
Romeyn,

G. G. Briggs,	Hutchinson,	Sanford,
R. V. Briggs,	Jewell,	Sickels,
B. Clark,	Kingsley,	Smith,
Crane,	Mason,	Thompson,
Curry,	Miles,	Wagner,
Doty,	Miller,	Walton,
Eck,	Millington,	Weier,
Elliott,	Mitchell,	Westover,
Fenner,	Newman,	White,
Goodrich,	Norton,	J. A. Williams,
Harris,	Plimpton,	W. D. Williams,
Holt,	Purcell,	Yawkey,
Hubbard,	Riford,	44

Mr. W. D. Williams moved that the vote by which the bill was lost, be reconsidered;

Which motion prevailed.

Mr. Baxter moved that the bill be laid on the table;

Which motion did not prevail.

On motion of Mr. Wilcox,

The bill was recommitted to the committee on fisheries.

House bill No. 166, entitled

A bill to authorize judges of probate of certain counties to appoint a register, and prescribing his duties and compensation,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Horton,	Mr. Riford,
Barnaby,	Hubbard,	Romeyn,
Baxter,	Hunt,	Rowlson,
Blake,	Hutchinson,	Sanford,
Boyn-ton,	Jewell,	Seward,
R. V. Briggs,	Klein,	Shaw,
Brownell,	Lane,	Slayton,
Cameron,	Mason,	Snell,
B. Clark,	McKernan,	Stewart,
Crane,	Mead,	Swift,
Curry,	Miles,	Ternes,
Elliott,	Miller,	Thompson,
Fuller,	Mitchell,	Walton,
Gay,	Newman,	Wendell,
Gifford,	Osborn,	Wilcox,
Goodrich,	Plimpton,	W. D. Williams,

Grant,  
Holt,Purcell,  
Putnam,

Speaker,

53

## NAYS.

Mr. Avery,  
Bostwick,  
G. G. Briggs,  
O. Clark,  
Cogshall,  
Davis,  
Doty,  
Eck,  
Fenner,  
Harris,Mr. Hurlbut,  
Huston,  
Kingsley,  
Lovell,  
Millington,  
Murray,  
Norton,  
Sheldon,  
Sickels,  
Smith,Mr. Stannard,  
Wagner,  
Walker,  
Ward,  
Weier,  
Westover,  
White,  
J. A. Williams,  
Woodard,  
Yawkey, 30

Pending the announcement of the vote,

Mr. Baxter moved that Mr. Slayton be excused from voting;

Which motion did not prevail.

Mr. Slayton then voted as recorded above.

Pending the announcement of the vote,

Mr. Baxter moved that Mr. Crossman be excused from voting;

Which motion prevailed.

The title was agreed to.

House bill No. 169, entitled

A bill to amend sections 4 and 7 of an act entitled an act to authorize the township of Holland, and other townships in the counties of Ottawa and Allegan, to make loans and levy taxes for the improvement of the harbor at the mouth of the North Black river, in Ottawa county, approved March 5, 1858;

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Blake,  
Bostwick,  
Boynton,  
G. G. Briggs,  
R. V. Briggs,  
Cameron,Mr. Holt,  
Horton,  
Hubbard,  
Hunt,  
Hurlbut,  
Hutchinson,  
Jewell,  
Kingsley,  
Klein,  
Lane,Mr. Seward,  
Shaw,  
Sheldon,  
Sickels,  
Slayton,  
Smith,  
Snell,  
Stannard,  
Stewart,  
Swift,

B. Clark,	Lovell,	Ternes,
O. Clark,	Mason,	Thompson,
Cogshall,	McKernan,	Wagner,
Crane,	Mead,	Walker,
Crossman,	Miles,	Walton,
Curry,	Miller,	Ward,
Davis,	Millington,	Weier,
Doty,	Mitchell,	Wendell,
Eck,	Murray,	Westover,
Elliott,	Newman,	White,
Fenner,	Norton,	Wilcox,
Fuller,	Osborn,	J. A. Williams,
Gay,	Purcell,	W. D. Williams,
Gifford,	Putnam,	Woodard,
Goodrich,	Romeyn,	Yawkey,
Grant,	Rowison,	Speaker,
Harris,	Sanford,	

80

NAYS.

0

Title agreed to.

On motion of Mr. R. V. Briggs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 158, entitled

A bill to amend section 535 of the compiled laws, relating to the canvass of votes in townships,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Hubbard,	Mr. Seward,
Barnaby,	Hunt,	Shaw,
Baxter,	Huribut,	Sheldon,
Blake,	Hutchinson,	Sickels,
Bostwick,	Jewell,	Slayton,
Boynton,	L. Kendrick,	Smith,
G. G. Briggs,	Kingsley,	Snell,
R. V. Briggs,	Klein,	Stannard,
Brownell,	Lane,	Stewart,
Cameron,	Lovell,	Swift,
B. Clark,	Mason,	Ternes,
O. Clark,	McKernan,	Thompson,
Cogshall,	Mead,	Wagner,
Crane,	Miles,	Walker,
Crossman,	Miller,	Walton,

Curry,	Millington,	Ward,
Eck,	Mitchell,	Weier,
Elliott,	Newman,	Wendell,
Fenner,	Norton,	Westover,
Fuller,	Osborn,	White,
Gay,	Purcell,	Wilcox,
Gifford,	Putnam,	J. A. Williams,
Goodrich,	Riford,	W. D. Williams,
Grant,	Romeyn,	Woodard,
Harris,	Rowlson,	Yawkey,
Holt,	Sanford,	Speaker,
Horton,		

79

## NAYS.

Mr. Davis,	Mr. Murray,	2
------------	-------------	---

Title agreed to.

House bill No. 174, entitled

A bill appropriating certain non-resident highway taxes for the improvement of the Ovid and St. Charles State road,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Grant,	Mr. Romeyn,
Avery,	Harris,	Rowlson,
Barnaby,	Horton,	Seward,
Baxter,	Hubbard,	Sheldon,
Blake,	Hunt,	Sickels,
Bostwick,	Hurlbut,	Slayton,
Boynnton,	Hutchinson,	Smith,
G. G. Briggs,	Jewell,	Snell,
R. V. Briggs,	L. Kendrick,	Stannard,
Brownell,	Kingsley,	Swift,
Cameron,	Klein,	Ternes,
B. Clark,	Lane,	Thompson,
O. Clark,	Lovell,	Wagner,
Crane,	Mason,	Walker,
Crossman,	McKernan,	Walton,
Curry,	Miles,	Ward,
Davis,	Miller,	Weier,
Doty,	Millington,	Wendell,
Eck,	Mitchell,	Westover,
Elliott,	Murray,	White,
Fenner,	Newman,	J. A. Williams,
Fuller,	Osborn,	W. D. Williams,

Gay,  
Gifford,  
Goodrich,

Purcell,  
Putnam,  
Riford,

Woodward,  
Yawkey,  
Speaker. 75

NAYS.

0

Title agreed to.

On motion of Mr. Sickels,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 177, entitled

A bill to amend section 5 of an act approved March 23, 1867, entitled an act to amend sections 5, 10 and 24, of an act entitled "An act to authorize the formation of corporations for mining, smelting or manufacturing iron, copper, mineral coal, silver or other ores or minerals and for other purposes, approved February 5th, 1853, being sections 1803, 1808 and 1822, of the compiled laws,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Miles,

The bill was recommitted to the committee on mines and minerals.

House bill No. 129, entitled

A bill to provide for the laying out, establishing and constructing of a certain State road in the county of Lapeer,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Curry,

The bill was recommitted to the committee on roads and bridges.

House joint resolution No. 21, entitled

Joint resolution to forfeit the lands granted to the Marquette and Ontonagon railroad company, and to confer the said grant of lands upon some other company,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Horton,	Mr. Rowleson,
Avery,	Hubbard,	Sanford,
Barnaby,	Hunt,	Shaw,
Baxter,	Hurlbut,	Sheldon,
Blake,	Huston,	Sickles,
Bostwick,	Hutchinson,	Smith,
G. G. Briggs,	Jewell,	Snell,
R. V. Briggs,	L. Kendrick,	Stannard,
Brownell,	Kingsley,	Stewart,
Cameron,	Klein,	Ternes,
B. Clark,	Lane,	Thompson,
O. Clark,	Lovell,	Wagner,
Crane,	Mason,	Walton,
Curry,	McKernan,	Ward,
Davis,	Mead,	Weier,
Doty,	Miller,	Wendell,
Eck,	Millington,	Westover,
Elliott,	Mitchell,	White,
Fenner,	Newman,	Wilcox,
Fuller,	Norton,	J. A. Williams,
Gay,	Osborn,	W. D. Williams,
Gifford,	Purcell,	Woodard,
Goodrich,	Putnam,	Yawkey,
Grant,	Riford,	Speaker,
Holt,	Romeyn,	

74

## NAYS.

0

Title and preamble agreed to.

House bill No. 154, entitled

A bill to enable married women to bar their right of dower,  
Was read a third time, and pending the taking of the vote on  
the passage thereof,

Mr. Slayton moved to amend by adding the following to the  
bill: "*Provided*, That no such instrument shall be valid unless  
it be recorded in the same manner as a deed, in the county  
where the land lies;"

Which was not agreed to.

The bill was then not passed, a majority of all the members  
elect not voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Cogshall,	Mr. Klein,	Mr. Osborn,
Crossman,	Lane,	Romeyn,

Fuller,  
Gay,  
Gifford,  
Hubbard,

Lovell,  
McKernan,  
Mead,  
Mitchell,

Slayton,  
Ward,  
W. D. Williams,  
Yawkey, 18

## NAYS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Blake,  
Bostwick,  
G. G. Briggs,  
R. V. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Crane,  
Curry,  
Davis,  
Doty,  
Eck,  
Elliott,  
Fenner,  
Goodrich,

Mr. Grant,  
Harris,  
Holt,  
Horton,  
Hunt,  
Hurlbut,  
Huston,  
Hutchinson,  
Jewell,  
L. Kendrick,  
Kingsley,  
Mason,  
Miles,  
Miller,  
Millington,  
Murray,  
Newman,  
Norton,  
Putnam,

Mr. Rowison,  
Seward,  
Shaw,  
Sickels,  
Smith,  
Snell,  
Stannard,  
Stewart,  
Ternes,  
Thompson,  
Wagner,  
Walker,  
Walton,  
Weier,  
Westover,  
White,  
Wilcox,  
J. A. Williams,  
Speaker, 58

Mr. Miles moved to reconsider the vote by which the bill was lost;

Which motion did not prevail.

On motion of Mr. McKernan,

The House took a recess until this afternoon at two o'clock.

## AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Slayton asked and obtained leave of absence for himself, after to-day, until Tuesday morning.

Mr. Cogshall asked and obtained leave of absence for himself, after to-day, until Tuesday morning.

Mr. O. Clark asked and obtained leave of absence for himself, after to-day, until Monday noon.



Mr. Ternes asked and obtained leave of absence for himself, after to-day, until Tuesday morning.

SPECIAL ORDER.

The Speaker announced that the hour had arrived fixed by the House for the consideration of the special order, being the case of Daniel Burns, charged with contempt.

The special committee appointed to report an order of proceedings in the case, submitted the following report:

The select committee, to whom was referred the subject of the arrest of Daniel Burns, for alleged contempt of the dignity, and fraud upon legislative powers and action of the House of Representatives, respectfully recommend that the following order of proceedings in the trial of said Burns be observed, namely:

Said Daniel Burns shall be again placed at the bar of the House, and the Speaker shall cause to be read to the respondent the preamble and resolution adopted by the House this day, in regard to the arrest of the respondent, after which the Speaker of the House shall put to him the following interrogatories:

1. Do you admit or deny, that on the 22d day of February you procured, by false device, from the Hon. T. J. Slayton, a member of this House, and chairman of the committee on banks and incorporations, and one of the standing committees of the House, "A bill to revise the charter of Bay City," and carry away and retain, or cause to be retained, said bill, until on or about the 1st day of March following?

2. Did you not, within that time, and while contemptuously withholding said bill, or causing said bill to be withheld from said committee of this House, mutilate, or cause to be mutilated, in divers places, the bill so mentioned?

If the said Daniel Burns admit the charges, or answer these charges affirmatively, as propounded by the Speaker, then the House shall proceed to judgment thereon. But if said Burns deny such charges, or answer such interrogatories in the negative, or refuse or evade answering the questions propounded by

the Speaker of the House, then such witnesses on the part of the House of Representatives as may be deemed expedient, shall be examined as witnesses, touching the matter of the accusations; after which the said Burns shall be allowed to introduce any competent evidence to his defense; and then any further evidence the House may direct shall be introduced.

If parol evidence be offered, the witnesses shall be sworn by the Speaker of the House, and examined at the bar, unless they are members of the House, in which case they may be examined in their places, and without being sworn. The committee shall examine witnesses, and the questions put shall be reduced to writing by a person appointed for that purpose before the same are proposed to the witness, and the answers shall be reduced to writing. Every question put by a member of the House, not of the committee, shall be reduced to writing by the member, and propounded by the Speaker, if not objected to; but if any question shall be objected to, or any testimony offered shall be objected to by any member, the member objecting and the accused, or his counsel, shall be heard thereon, and may be replied to by one of the committee; after which the question shall be decided without further debate.

When the evidence is all before the House, the said Daniel Burns shall be heard on the whole matter, by himself or his counsel, as he may elect; and after the said Daniel Burns shall have been so heard, he shall be directed to withdraw from the bar of the House; and the House of Representatives shall proceed to consider the subject, and to take such order thereon, as shall be deemed just and proper.

All of which is respectfully submitted,

JOHN N. INGERSOLL, *Chairman.*

On motion of Mr. Miles,

The report was accepted and adopted.

The special committee then took position on the floor of the House, as Managers on the part of the prosecution.

The respondent chose to appear in person, without counsel.

The Speaker charged the Sergeant-at-Arms to place the respondent at the bar of the House;

Which was done.

The Clerk then read, by order of the Speaker, to the respondent, the preamble and resolutions this day adopted by the House, in regard to his arrest.

The Speaker then proceeded to propound to the respondent the interrogatories contained in the order reported by the committee, as follows:

*First Question*—Do you admit or deny that, on the 22d day of February, you procured, by false device, from the Hon. Thomas J. Slayton, a member of the House, and chairman of the committee on banks and incorporations, and one of the standing committees of this House, "A bill to revise the charter of Bay City," and carried away and retained, or caused to be retained, said bill, until on or about the first day of March following?

*Answer by respondent*—I deny the charge.

*Second Question*—Did you not, within that time, and while contemplating withholding said bill, or causing said bill to be withheld from said committee of the House, mutilate, or cause to be mutilated, in divers places, the bill so mentioned?

*Answer by respondent*—One place only, while in my possession.

The special committee then proceeded to the examination of witnesses, on the part of the House.

HON. THOMAS J. SLAYTON CALLED.

I think it was Monday, February 22d, or early in the week preceding the recess, while sitting at my desk in this Hall, some person introduced to me a person from Bay City. I think he called his name Burns. That gentleman wished to see a bill I had in my possession, entitled "A bill to revise the charter of Bay city," as near as I can remember the title. I picked it from among the papers in my possession, as chairman of the committee, and handed it to him. I saw nothing further of the

bill until the Wednesday after the recess, March 3d. I was absent March 1st. I did not return until Monday evening. Possibly I saw the bill Tuesday, but think not until Wednesday morning, when it was brought to me by Mr. Crossman, who said the bill had been found on my table, on the Saturday or Monday preceding. I believe on Monday. This is the bill, (producing the copy.)

*Question.*—Is this the person? (pointing to Mr. Burns.)

*Answer.*—I think it is. I cannot say positively, never having seen him before.

*Question.*—Was there more than one mutilation to the bill; if so, what were they?

*Answer.*—The outside leaf was torn in two and half of it was gone, so that the bill showed no outside title. I cannot state what alterations have been made in the body of the bill, for the reason we had not examined the inside of it after its introduction into the House and its reference to our committee.

*Question.*—Are there many places in the bill where there is a different hand writing?

*Answer.*—There are four interlineations on the 2d page, and as many erasures.

*Question.*—Does the alteration relate to the boundaries of the city.

*Answer.*—It does. There are three alterations on page 5 referring to the boundary of the city. An alteration on page 6, also, refers to the boundary. There is an alteration on page 7, section 3, striking out the election of city marshal. There are three other changes on the same page in different handwriting from the body of the bill.

*Question.*—Are all the interlineations in the same handwriting?

*Answer.*—I think they are. The interlineations in section 7, are making appointive "an attorney, a street commissioner, a director of the poor, a marshal." Before changed I should judge it to have read, "a street commissioner, a director of the poor."

*Committee.*—You may give the number of alterations contained in the bill in the same handwriting.

*Answer.*—I find nine others, as far as I have looked, being about half through the bill.

*Question.*—Did you make search for the bill, and is this the copy of the bill handed you by the Clerk in his official capacity?

*Answer.*—Think it is, but cannot be certain, the outside title being gone.

*Question.*—Did you make any search for the bill after letting Mr. Burns have it?

*Answer.*—I searched several times after lending the bill, and the time of the House taking a recess. On February 24, a member of the House, from Bay county, came to me, and with him, on that evening, I made a thorough search, and could not find it.

*Question.*—At the time you handed the bill to Mr. Burns, was anything said about handing it back or returning it?

*Answer.*—He was introduced to me as a gentleman from Bay City, and said he would like to look for a few minutes at a bill in my possession to amend the charter of Bay City.

CROSS-EXAMINED BY THE RESPONDENT.

*Question.*—Do you not know personally of this bill's having been in the hands of another person from Bay City, Mr. Grier, and that he put these interlineations in the bill himself?

*Answer.*—I am not acquainted with the hand-writing of Mr. Grier, and cannot say that they are his alterations. Nor do I remember of having lent him this bill for the purpose of alteration, or any other purpose. I think he looked at it in my presence, I holding the bill all the time. That is the best of my recollection.

*Question.*—Did not Mr. Grier, of Bay City, call upon you and say that he heard that the bill had been altered, and he desired to see what alterations had been made?

*Answer.*—I think he did.

*Question.*—I ask the witness to look at the bill again, and see if he cannot see three different hand-writings.

*Answer.*—I find two different hand-writings.

*Question*—Do you know whether the bill is not now in the same condition as it was at the time you handed it to me?

*Answer*—It is not.

*Question*—In what respect does it differ?

*Answer*—The half of the outside leaf is off.

*Question*—Aside from the half of the outside leaf being off, do you know of any change?

*Answer*—I do not.

*Question by Mr. Miles*.—Where did you keep the bill while in your possession? at your room, or on the floor of this Hall, under your desk, with other bills referred to your committee?

*Answer*.—On the floor of the Hall, at the end of my table, with other bills.

*Question by Mr. Plimpton*.—Do you know whether you gave the bill to the respondent, or to the other person who was with him?

*Answer*—I do not. To the best of my recollection, it was a gentleman about the size of Mr. Burns, and who was introduced to me as Mr. Burns.

*Question*.—Were you acquainted with the gentleman who introduced Mr. Burns?

*Answer*.—Was acquainted with him, but have forgotten who he was.

*Question by Mr. Miles*.—From your own examination of the bill, can you tell whether the alterations in the body of the bill were made before or after the bill went out of your possession?

*Answer*.—I cannot say when all the alterations were made, save one, striking off half of the outside leaf.

*Question by Mr. R. V. Briggs*.—Did you keep your papers at the end of your table all the time, during session hours and recess?

*Answer*—I did not. On the evening of February 24, after the adjournment of the House, I gathered up all the bills, petitions, and other papers referred to our committee, and looked up about half of them in the Clerk's desk, and the rest of them

in the desk of the engrossing clerk, and took them from those places on my return, March 2d.

*Question by Mr. Horton.*—Did you state that you had not examined the bill before you let Mr. Burns have it?

*Answer.*—If I did not so state, it is the fact.

*Question by Mr. Horton.*—Then how do you know but that the interlineations were made before you received the bill?

*Answer.*—I have not said they were not made before I received it. I said one change had been made; that of tearing off the last leaf of the bill. That I know was made after the bill left my possession, and before it was returned again, March 2d.

HON. DANIEL L. CROSSMAN CALLED.

I first saw the bill with this title with the papers sent to the committee on banks and incorporations. Subsequently, at the solicitation of Mr. Westover, a member of the House, I went to Mr. Slayton's desk to get the bill, for the purpose of making an examination, and report upon it. The bill could not be found. Thinking that Mr. Slayton had made some disposition of the bill, I called upon him for it, as I have been in the habit of doing with other bills, being a member of that committee. Mr. Slayton informed me, that a short time previous he had handed the bill to a gentleman from Bay City, who desired to examine it. Subsequently, the evening of the same day, I examined all of the papers at or about Mr. Slayton's desk, to find the bill, as Mr. Westover was urging me to report upon it; but it could not be found. The following morning, I think, not being able to find the bill there, the resolution referred to was introduced into the House. Monday, after the recess, I again went to Mr. Slayton's desk, on other business connected with that committee, and found, rolled in a sheet of the House journal, this bill, (holding it in his hand.) Mr. Slayton was not in his seat, not having returned since the recess. I think the bill has been in my possession and knowledge, or rather, in my possession and that of Mr. Slayton, since that time. Few days subsequently Mr. Theophilus C. Grier, of Bay City, came before the commit-

tee, making inquiries relative to the lost bill, and, with Mr. Slayton, examined the bill found. He said that he found so many alterations he would not ask the committee to correct this bill, but as he had the original in his office from which this bill was drawn, another exact copy would be sent to the committee. I think on the next day, he placed in my hand a package from the express office, I judge, which I opened, and found to be a bill to amend the charter of Bay City, which, from comparison, I judge to have been an exact copy of this, before any alterations were made in it. That bill was reported by me to this House.

CROSS-EXAMINED.

*Question by Mr. Hunt.*—Did you examine the bill previous to the disappearance of the same, and were the alterations made previous to that time?

*Answer.*—In looking over the papers of the committee, I had noticed the bill several times, but had not examined the body of the bill before its disappearance. Had noticed the title of the bill.

*Question by Mr. R. V. Briggs.*—State what changes have been made in this bill, and the one reported by the committee?

*Answer.*—The principal changes which I noticed were: 1st, some changes as to boundaries; 2d, as to the office of marshal, which by the bill reported was an elective office, and by this bill as originally written, but as at some time subsequently altered by erasures and interlineations, was made appointive. I also noticed that in the section relating to the time in which all officers elective should qualify, it appears to have been originally written "ten days," but was altered to "ten years." In one other case, giving authority to suppress riots and dispose of drunkards, it was interlined with these words, as near as I can recollect, "except city officers." In my opinion, this bill and the one subsequently reported, were originally written by the same person. It is my opinion that there are interlineations in the bill in two different handwritings.



*Question by Mr. Holt.*—Have you ever had any conversation with Mr. Burns in regard to his wishes in regard to the provisions of the bill in question?

*Answer.*—I do not know that I ever saw Mr. Burns until to-day. Never had any conversation with Mr. Burns in regard to this or any other bill.

CROSS-EXAMINED BY THE RESPONDENT.

*Question.*—Has there been a bill reported by the committee as a substitute for this bill?

*Answer.*—As I stated, the committee reported another bill, not as a substitute, but as the original bill, believing that the one reported was an exact copy of the one introduced into this House.

*Question.*—In the present bill, section 1, as it now reads, does it not exactly correspond, including the interlineations, with the bill as reported by the committee to the House?

*Answer.*—I think that it varies in relation to some disputed territory between Bay City and Portsmouth. I may not be correct in this, but that is my opinion.

*Question.*—Do you know the hand-writing of T. C. Grier, of Bay City?

*Answer.*—I do not.

*Question.*—Have you in your possession any of his hand-writing?

*Answer.*—I think not.

*Question.*—In what respect does the bill you reported differ from this bill, to your knowledge?

*Answer.*—As to the office of marshal, and the other differences previously named, and many other points.

*Question.*—Are there not two sets of interlineations in the bill?

*Answer.*—I stated in answer to another question, that I thought there were interlineations in two different hand-writings, and I think so still.

*Question.*—Are not all the interlineations as they now stand, all in one hand-writing?

*Answer.*—I think they are not.

HON. SAMUEL W. YAWKEY CALLED.

On Monday, the 22d of February last, I took the train at East Saginaw, on my way to Lansing. I met Mr. Burns on the train. We arrived at Lansing at 11 o'clock; came up to the House, which had just adjourned. Mr. Burns came to me with a list of the standing committees of the House, and asked me what reference the charters have—to what committee? I answered, to the committee on banks and incorporations. He asked me if the chairman of the committee was in the Hall. I stated he was, and was in his seat, and pointed out Mr. Slayton to him. I think about half an hour afterward I met Mr. Burns at the Lansing House. He, and another man with him, were coming down the stairs together. The gentleman with Mr. Burns had a pen in his hand, and Mr. Burns had the bill. He did not say it was the bill. The copy mutilated, I think, is the same bill which Burns had.

*Question.*—Do you know Mr. Grier's hand-writing?

*Answer.*—I do not.

*Question.*—Can you tell in whose hand-writing the interlineations are?

*Answer.*—I cannot.

*Question.*—Do you know who the man was with Mr. Burns?

*Answer.*—Mr. Becker, formerly marshal of Bay City.

CROSS-EXAMINED BY THE RESPONDENT.

*Question.*—Was this the bill Mr. Burns had? (showing the bill.)

*Answer.*—It was.

*Question.*—How did you recognize it?

*Answer.*—By the title, which was not then torn off.

HON. LUTHER J. WESTOVER CALLED.

The bill was sent to me. When it came, it came by express. I undid it and commenced running over the bill hastily, and

noticing some portions of it. In so doing I did not notice any interlineations in it. After doing that, I presented it to the House, supposing it would come before the House regularly, and paid no more attention to it. That is about all I know personally about the matter. I undertook to find the bill, and found Mr. Burns had borrowed it. Think the mutilated bill is the one I presented to the House. Think if the interlineations were in the bill when I first looked at it, I should have noticed them. Saw none, however, when I looked at it. Mr. Grier got the bill, and I went with him to the committee room to examine the mutilations. Know the first interlineations are not in Mr. Grier's handwriting.

*Question by Mr. B. V. Briggs.*—Do you know the handwriting of Mr. Burns? Are the interlineations in his handwriting?

*Answer.*—I do not know Burns' handwriting. As the bill passed the House the marshal is to be appointed. Was not here when Mr. Burns was first here.

*Question by Mr. Purcell.*—Had you read the bill with sufficient care to point out any of the interlineations?

*Answer.*—I think I had. I run over the bill hastily, and think if all the interlineations were in it I would have seen them, or some of them, at least.

*Question by Mr. Horton.*—How soon after you received the bill did you introduce it into the House; and was it in your possession all the time after you first received it until you introduced it?

*Answer.*—It was in my possession all the time, in my desk, until I introduced it; think I introduced it the next day after receiving it.

*Question by Mr. Yawkey.*—Did Mr. Becker call upon you, at your house in Bay City, about changing the election of marshal?

*Answer.*—He did. I think the interlineations are not in Mr. Grier's hand writing.

## CROSS-EXAMINED BY THE RESPONDENT.

*Question.*—Have you examined this bill to see how it now stands, as to the office of marshal?

*Answer.*—I have not. (Examines the bill.) The section as the bill now stands, makes it appointive, and was originally so.

*Question.*—Was not that as the original bill read?

*Answer.*—It was. This interlineation was put in here when this bill came back to this House, and was not as it was when introduced.

*Question.*—In reading the first section of this bill, as to boundaries, does not this bill now read as the one does that has passed the House?

*Answer.*—If it does not read so, I do not think Mr. Burns made any alteration in that part of it. The bill, as passed, in this respect, was altered after it came here—in regard to disputed territory.

*Question.*—Do you know, of your own knowledge, of this bill being at Bay City since March 1st?

*Answer.*—I do not.

## N. B. JONES, CLERK OF THE HOUSE, CALLED.

*Question.*—Have you ever seen this bill before? (Mutilated bill shown.)

*Answer.*—Have seen this bill, or one like it, in the same hand-writing. It was introduced into the House by Mr. Westover, of Bay county; was read a first and second time, and referred to the committee on banks and incorporations, and was sent by me to the committee. If this is not the same bill introduced into the House by Mr. Westover, it is one just like it, in the same hand-writing. I opened the bill while it was in my hands, and know the interlineations on the first page were not in the bill when first introduced. Am positive about this. Some of the interlineations are in the hand-writing of Mr. Grier, in my opinion. Have some of his hand-writing before me, and think some of the interlineations in the bill are in his hand-writing, or resemble his writing very closely.

HON. JOHN N. INGERSOLL CALLED.

I met Mr. Burns about the 20th of February, in the cars between Owosso and this city, and he introduced me to a man whose name, I think, was Becker. He stated his principal object was to get an amendment to the bill that had been introduced to amend the Bay City charter, making the office of marshal elective, instead of appointive. I told him that, as a general thing, the charters were being altered, making the office of marshal appointive, where they had heretofore been elective. He wanted me to assist him. I told him that I was opposed to the principle of electing marshals, and so expressed myself to him. The next day (I think it was the next day) I met him in the outer hall. He told me he wanted to get hold of or see the bill amending the Bay City charter. I told him he could get it from the chairman of the committee, if the bill had gone to the committee. He said it had, but he did not know the chairman. I told him he could get it from the chairman, if the chairman would let him have it. He said he did not know the chairman, and wanted me to introduce him. I told him Mr. Westover would probably get it for him. By that time we had got in the door of this hall. He or I looked over to where Mr. Westover sits. The House was not in session. I think he told me he did not want Mr. Westover to get it, from which I inferred there was some personal feeling between them. I told him Mr. Yawkey, or Mr. Lane, would go with him. It would look better to have a man from that section of country. We then parted. I think I left him standing there. I think it was that afternoon,—it might have been next morning, or next day,—I asked him if he had seen his bill, or got his bill; he smiled, and said "Yes, I have got it." I think this was in the outer hall, the next day, or in the afternoon of the same day, that I first met him in the outer hall of this House.

MR. R. V. BRIGGS CALLED.

*Question.*—Mr. Briggs you will please state what you know of the interlineations.

*Answer.*—I think it was sometime about the fifth or sixth of March; it was about that time, I am not positive as to the date; it was in the afternoon, if my recollection serves me right. I was in the committee room, Mr. Grier from Bay City was in there; a gentleman whose acquaintance I had formed but a few days before that, and he was writing at the table that stands in the corner of the room. He called my attention to what he said was the Bay City charter. This I suppose to be the same bill—the bill here in question. He stated it had been returned to the House a few days before that. He sat at the table and he remarked to me that he was correcting the Bay City charter that had been taken away from the House. I noticed interlineations, and that they are in the hand-writing of Mr. Grier I am satisfied, as I hold in my hand a paper which he wrote, and on comparing the two they look very much alike.

*Question.*—Were there any other interlineations in Mr. Grier's hand-writing, other than such as would make it read as the original bill read?

*Answer.*—I am unable to say what the appearance of the original bill was. I can say it appears to me there are two different hand-writings; one interlineation in a hand I could not identify, and another like the hand-writing of Mr. Grier, which appears to be the second interlineation in the bill.

*Question.*—Did you see the erasure of the word "marshal"?

*Answer.*—I will state one thing further: Mr. Grier stated at the time, he was "correcting the bill introduced into the House by Mr. Westover." I think he used these exact words. He said "that the bill had been mutilated; had been taken from the House, and he was making it conform to the bill introduced by Mr. Westover."

CROSS-EXAMINED BY THE RESPONDENT.

*Question.*—Was any other person with Mr. Grier when he had that bill?

*Answer.*—No one but myself. I remained in the room five or ten minutes.

*Question.*—Could you state how long he had that bill in his possession?

*Answer.*—I could not.

*Question.*—What did he say to you?

*Answer.*—All I think he said to me was, that he had just taken the bill to correct it. That is all. He made that statement at the time he had it.

Mr. Ingersoll, addressing the respondent, "Have you any more evidence of your own?"

*Respondent.*—Yes, sir. I ask that the chairman of the committee on banks and incorporations be re-called.

HON. T. J. SLAYTON RE-CALLED.

Examination by the respondent.

*Question.*—Have you, in your capacity as chairman of the committee on banks and incorporations, allowed any person to alter that bill since the first day of March?

*Answer.*—I do not remember now, of giving such consent.

Mr. Ingersoll read the Rule:

"When the evidence is all before the House, said Daniel Burns shall be heard on the whole matter. He shall then be directed to withdraw from the bar of the House, and the House shall proceed to consider the subject, and take such order thereon as shall be just and proper."

DANIEL BURNS' DEFENSE.

The respondent spoke as follows:

*Mr. Speaker.*—On the twenty-third day of February I came to this city of Lansing. I arrived here about eleven o'clock, on the train from the north here. There was a gentleman on the train from Bay City, who is deputy marshal, and who has been marshal heretofore. I had business otherwise than in reference to this bill—business of my own. He said the charter before this House had a provision by which the marshal was to be appointive, instead of elective. We had some conversation as to the propriety of its being so altered. I came here and inquired for Mr. Westover, but Mr. Westover was not in his seat. I then

obtained an introduction to the chairman of the committee on banks and incorporations. I inquired of him for the bill. The bill was handed to me. I told him I wished to look at it. I do not remember whether I stated to him that I wanted to make any alterations or not. I did state to some of the members, Mr. Ingersoll, Mr. Yawkey, and some others, the proposed change to be made. I obtained the bill, had the alteration made in reference to marshal. It read to be appointed; it was altered so as to be elective. The bill now reads as it originally read. Now, further than that, I did nothing. I may have had it (the bill) in my possession from twenty to thirty minutes, and then the bill was returned to the gentleman's table. I did not remain in the city only till the train went north again.

Now, in the mere fact of altering that bill, I did not suppose, the bill not being passed before the House, that I was doing wrong. I did not do it with the intention of showing contempt for this House, nor had I any intention to mutilate that document. Mr. Westover was notified by Mr. Becker himself. I presume Mr. Westover did not care about the matter. I did it to accommodate him (Becker.) I took it to make that alteration, but with no intention whatever to show any contempt for this House. I cannot say whether there was anything missing from it or not; I know I took nothing off. This is all that I have to state on this matter.

In reference to the interlineations of that bill, what I have to say is this: Mr. Grier is here in the city. My efforts to keep him straight, that he might make the explanation, were not successful. While I have been under the charge of the Sergeant-at-Arms, he has been under the charge of King Alcohol. He might have come here and made to this House the statement that he made the interlineations himself. I see they are all his handwriting. I am well acquainted with Mr. Grier's handwriting. Mr. Grier told me himself he made those alterations, and explained the alterations he did make in that bill; but he was beyond my control. I do not feel disposed to ask the House to fetch him here, under the circumstances.



With regard to contempt for this House, nothing was more remote to me than that. I am of opinion that the gentleman who made these charges, Mr. Westover, has never read that bill to know what alterations are made. The bill reads as the bill that passed to-day. The interlineations were put there to make it read as it passed; therefore, the interlineations were made to make it conform to the new bill. With these remarks, I have nothing more to say.

The respondent having closed the defense, he was conducted from the hall by the Sergeant-at-Arms, pursuant to the order adopted.

Mr. Ingersoll moved that that portion of the order adopted, requiring the respondent to retire from the hall during the arguments in the case, be suspended, and that the respondent be re-admitted to the hall;

Which motion prevailed, and the respondent was brought again to the bar of the House.

On motion of Mr. Ingersoll,

The arguments in the case before the House were ordered taken down by Mr. Clubb, short-hand reporter, and entered at large on the journal.

Mr. Ingersoll—The gentleman from Tuscola will now address the House.

Mr. Huston said—Mr. Speaker, having had no time to prepare for this case, I do not propose to detain the House any great length of time. We have already spent nearly the whole afternoon in taking the testimony, and, I suppose, the only question for the House to determine will be whether the respondent is guilty of the accusation we have made against him.

The first proposition relates to the taking away of this bill and detaining it, and secondly, whether he had anything to do with the interlineations that were made in the bill. Now, I state this proposition right here, that when men are charged with crime, for instance the charge is made of murder: several persons may be guilty of the offense, although one has inflicted the blow or administered the poison that caused the death;

those who countenanced, or took part, or advised, or who may be present, or encouraged those that committed the offense, are equally guilty.

Now, it makes but little difference in this matter whether Mr. Burns made the erasures in this bill or not. By the way, he admits he made one of them. But whether he made them or not, it makes but little difference. The evidence shows the fact of his taking the bill away; that he was the party who took it, there is no doubt. Mr. Slayton says he was introduced to him on the 22d of February; that he delivered the charter to him at that time. Mr. Ingersoll stated that he met him in the hall. Mr. Burns told him he had the charter. Then, we say, there can be no doubt of the fact that he took the charter away from this hall, and before it came back to the hands of Mr. Slayton it was altered and changed in various places.

I wish to remark right here, in reference to these interlineations, as there may be some dispute in regard to who did the writing, that I am acquainted with Mr. Grier's hand-writing. I have no doubt that part of these interlineations are in Mr. Grier's hand-writing; and you will find wherever Mr. Grier's hand-writing appears, there is also the hand-writing of somebody else changing it from what it originally was. Mr. Grier made his interlineations in the committee room, after the bill came back. This bill was first drawn in Mr. Grier's office. When the bill came back into his hands, he simply erased the interlineations made by Mr. Burns, or somebody else, and re-wrote the bill as it was made before it was changed. This corresponds with the testimony of the gentleman from Wayne. You will find in every case where there has been a word stricken out, that there are two hand-writings. One stands now, and the other interlineations have been erased, and the bill reads as it did before any erasures were made in it. Then, that states this part of the question as it seems to me. For instance: You have in regard to the point as to the marshal. It was first made "elective," and then changed back to "appointive," and so on, all through the bill.

Here is a significant fact, which shows that Mr. Burns knew all about this matter. His first question was this: "Was the bill given to Mr. Grier for the purpose of making these interlineations?" Now, I want to know how he could know that, unless the bill had been placed in his hands? The fact is, Mr. Grier made these interlineations, and the object of the respondent was to make it appear that Mr. Grier made these interlineations with which he was charged, as shown by the gentleman from Wayne. The only interlineations made by Mr. Grier, were those he made after the bill had been returned to the committee.

Now, if I remember right, Mr. Ingersoll says that Mr. Burns told him he had the charter; and it is a fact that this charter was loaned to Mr. Burns on the 22d day of February, and it was not found in this House until the 2d day of March. For eight days it was somewhere; it was not on Mr. Slayton's desk. The evidence shows that the respondent took it away; that he had it in the Lansing House; that Mr. Becker was with him; that it had been in his hands, and perhaps the change was made by him, (Becker.) It makes no difference: the respondent is just as guilty as if he made the changes himself. As a point of law, and as a matter of fact, it is immaterial whether the respondent made the changes or not. No one can doubt that when these changes were made, the respondent thought it was in contempt of this House to make those alterations. I do not know why any gentleman can have such a supposition that this bill was merely borrowed for the purpose of seeing it. No evidence has been introduced to shew that he intended to make alterations; or that he borrowed the bill for the purpose of making those changes. Why did he keep it eight days from the committee on banks and incorporations? What was the respondent doing with it at the Lansing House? What business had this man to take the bill and carry it away, without the consent of this House? No man has any right to take away bills and files and records of this House without the consent of the House. There can be no doubt he had the bill

at the Lansing House; that he had pen, ink and paper there. It seems to me this settles the whole question. There is no particular occasion to take any particular length of time in the discussion of this matter. The evidence seems so clear. I do not propose to detain the House with any lengthy remarks in regard to it.

I wish to call the attention of the House to the law in reference to cases of this kind. In the revised statutes of 1846, the Legislature has passed this law:

"Each House may punish, as a contempt and by imprisonment, a breach of its privileges, or the privileges of its members, but only for one or more of the following offenses, to-wit:

"1. The offense of arresting a member or officer of the House or procuring such member or officer to be arrested, in violation of his privilege from arrest.

"2. That of disorderly conduct in the immediate view of the House, and directly tending to interrupt its proceedings.

"3. That of refusing to attend, or be examined as a witness, either before the House, or a committee, or before any person authorized by the House, or by a committee, to take testimony in legislative proceedings.

"4. That of giving or offering a bribe to a member, or of attempting by menace, or other corrupt means or device, directly or indirectly, to control or influence a member in giving his vote, or to prevent his giving the same; but the term of imprisonment which such House may impose for any contempt specified in this section, shall not extend beyond the same session of the Legislature."—*Compiled laws of Mich., Vol. 1, pp. 93, 94.*

What I claim is that the Legislature has no power to make a statute that will bind a subsequent Legislature in its action in regard to matters of this kind—in regard to contempt, for instance.

In reference to proceedings of the Legislature, I call the attention of the House to Cooley's *Constitutional Limitations*, of 1864, in which he says:

"Each House may also punish contempts of its authority by other persons, whether express authority is conferred by the constitution or not; but where imprisonment is imposed as a punishment, it must terminate with the final adjournment of the House, and if the prisoner be not then discharged by its order, he may be released on habeas corpus."—[*Cooley's Constitutional Limitations*, p. 134.]

Thus, whether authority is conferred by the constitution, which is higher law than statute, either House may punish as for contempt. In that statute you may do so and so. It does not confer any authority at all. It does not say you shall not do this, and shall not do that; it simply says you "may punish as for contempt." Legislature and parliament for centuries; in fact, in England, without any statutory provisions, it has been the common law doctrine to punish contempt without any such statutory provision at all, and without, as Mr. Cooley says, any constitutional authority. Our constitution says nothing upon that question at all. Still our Mr. Cooley, Chief Justice of our State, says either House of the Legislature can punish as for contempt without the constitutional authority. That means simply, without any constitutional authority, the Legislature can do it; but when the constitution makes no provision, I take the ground that either House has power to punish as for contempt. The constitution neither takes away, nor does it confer this power. The statute I have read does not confer any power either; we have no more nor no less than we would have if that act had not been passed at all.

Mr. Cushing says, in his "Law and Practice of Legislative Assemblies:"

"The criminal jurisdiction of a legislative assembly is much more extensive than the civil; embracing the misconduct or disorderly behavior of its own members, as well as misdemeanors and offenses committed by other persons. In both cases, the offense may be committed either against the assembly itself, or against its members individually.

"Members may be guilty of misconduct, either towards the assembly itself, towards one another, or towards strangers. Misconduct of members towards the assembly, besides being the same in general as may be committed by other persons, consists of any breaches of decorum or order, or of any disorderly conduct, disobedience to the rules of proceeding, neglect of attendance, etc.; or of any crime, misdemeanor, or misconduct, either civil, moral or official, which, though not strictly an attack upon the house itself, is of such a nature as to render the individual a disgrace to the body of which he is a member. Misconduct of members towards one another, consists of insulting remarks in debate, personal assaults, threats, challenges, etc, in reference to which, besides the ordinary remedies at law, or otherwise, the assembly interferes to protect the member who is injured, insulted, or threatened. Offenses by members towards other persons, of which the assembly has cognizance, consist only of injurious and slanderous assertions, either in speech or by writing, which, as there is no other remedy, the assembly itself, if it thinks proper, takes cognizance of and punishes.

"The offenses against a legislative assembly, which may be committed by persons who are not members of it, are exceedingly multifarious; embracing all offenses against its members individually, all breaches of privilege, whether personal or collective, and all willful obstructions to its regular proceedings, and to the free, independent, and full performance of its various functions."—*Cushing's Law and Practice of Legislative Assemblies*, pp. 258, 259.

Now we see what governs this whole case. You will see that the offenses against legislative assemblies are exceedingly multifarious, and any one of them can subject the offender to punishment, as for contempt.

The penalty, as I understand in this case, is to be according to the decision of the House. Formerly, the House of Commons used to inflict a fine, and I understand they do so now. In this country it is by the way of reprimand or imprisonment,

and either the reprimand or imprisonment must terminate at the close of the session. The Legislature is a court of last resort, from which there is no appeal. I believe that is the doctrine of legislative assemblies in reference to these matters. It seems to be but just, that the prisoner shall pay the fees of the Sergeant-at-Arms, and his expenses. This can be done in addition to imprisonment, if this House think proper to do so.

Then I say it is clearly within the authority of this House to punish this party for contempt, although his case may not seem to be covered by any section in this chapter of the compiled laws which I have read, as he has obstructed the proceedings of this House, and he can be brought in under the common law doctrine, upon the principle that the Legislature represents the sovereignty of the State, and has therefore authority to punish any who may obstruct its proceedings.

All there is in this case is just this: Mr. Burns came here, as we have a right to infer from the evidence, with the express purpose of getting this charter to mutilate it. He stated to gentlemen after he came here, that he wanted to get this charter. He took it away, and when it was returned here, it was laid upon Mr. Slayton's table, without anybody knowing who laid it there. It was found to be mutilated. Can any one doubt what the motive was in this matter? Can any one doubt that he disregarded the dignity of this House? This may be regarded as a trivial matter; but I maintain this is of some importance. We have seen fit to take notice of this matter, simply to show that there cannot be a precedent established here; to show to the gentlemen from Bay City that they had no right to come here and pretend they wanted to see a bill merely to read, and to keep it eight or ten days, and mutilate it. If we disregard it, why, it may be repeated next week, or it may be repeated at the next Legislature.

We want to have it understood that people cannot come here and commit what is absolute forgery. These changes in the bill after it was put into the hands of the committee were no more nor less than forgery. If it was the intention of

this party to have the bill changed so as to have it pass without any knowledge of this House, and to have the boundaries altered, and this office of marshal different from what was intended, he is guilty not only of contempt, but of crime; he is guilty of forgery under the laws of this State. He is guilty of an offense for which he could be incarcerated in the penitentiary. And this House has seen fit to have this party appear as in contempt.

It has cost these people in Bay City at least one hundred dollars to get this bill written. The city paid that amount for it. Any lawyer will agree with me that this was a document of value to Bay City. His action in changing the language of that document, makes him a forger, liable to prosecution and sentence to the penitentiary. He can be arraigned and sent to the penitentiary upon the evidence before this House to-day. Now if a person does commit a crime, which under the laws of the State, would send him to the penitentiary, it is proper for this House to take it into consideration, and show that they will not permit the dignity of the body to be offended by this kind of men.

Mr. Romeyn called the attention of the gentleman from Tuscola to page 93 of the compiled laws.

The Speaker ruled that no argument was in order at this stage of the proceedings.

On motion of Mr. Huston,

*Resolved*, That the respondent, Mr. Burns, have the privilege of making any remarks he may feel disposed to make.

The Respondent.—*Mr. Speaker*: I was not aware that I committed any crime that laid me liable to the penitentiary for any term of years. I regret very much that this feeling has existed in this House, after the explanation which certainly should have been satisfactory, made by the gentleman who is chairman of the committee himself, he having known the facts in the case. It was testified by another gentleman that on the 4th or 5th day of March Mr. Grier had the bill in the committee room, and he tells the gentleman (from Wayne, I think) that he is going to alter it so as to suit the charter of Bay City. Those



interlineations were made there. It has been stated that Mr. Grier only corrected it, while if you examine the matter, you will find added and stricken from it many passages which could not possibly have been there before: and for this offense, may it please your honor, I was arraigned.

I stated fairly and candidly that I obtained the bill from the chairman of that committee; that I caused the alteration to be made in reference to the election of marshal instead of appointing him; that I returned it within thirty minutes after that, and that no other alteration was made by me but that one, and that is all.

I am charged with doing what is prejudicial to the welfare of Bay City. Now, no man has received authority to amend the charter of Bay City. There are not ten persons in Bay City that know anything about what that charter is. They have been promised a printed bill; they cannot remonstrate; they do not know what it is. Why was there not a petition sent to your Honorable body, to pass that bill? But that is neither here nor there. In closing, allow me to say before this House, in altering that clause I intended to commit no contempt whatever; that I had no intention to come here to injure the people of Bay City. I cannot very well do it, without injuring myself.

Mr. Plimpton—Mr. Speaker, may I make an inquiry?

The Speaker—Yes.

Mr. Plimpton—Do I understand that the prosecution were the only persons to speak in this case, and that no one else could be heard?

The Speaker—I understand that to be the rule, until the respondent is removed from the hall.

Mr. Ingersoll read the rule on that subject.

Mr. Huston—That is according to precedent.

The Speaker—Does the committee understand that the respondent shall be taken from the hall while the House proceeds to pass judgment?

Mr. Romeyn—I move that the House take a recess until 7 o'clock this evening.

Mr. Ingersoll—I think the matter can be got through with before adjournment.

The motion for recess was put, and decided in the negative.

Mr. Mead—I understand the suspension of the rule was not quite as broad; that the rule was suspended only while the managers were being heard, and not while judgment was being passed by the House.

The Speaker—That was the understanding of the Chair, and that the respondent might hear the arguments of the counsels and also respond himself, if he thought proper.

Mr. Mead—Will the House now proceed to pass judgment?

The Speaker—The Chair is of opinion that the respondent should retire; the Sergeant-at-Arms will take the respondent to an adjoining room.

The Speaker was about to put the question as to proceeding to pass judgment;

Mr. W. D. Williams—I understand the gentlemen on the opposite side of the House desire to make remarks on this question.

Mr. Cameron—Then I think we had better adjourn until seven o'clock. It strikes me we will be in better humor to pass sentence after supper.

On motion of Mr. Cameron,

The House took a recess until half-past seven o'clock.

---

EVENING SESSION.

7½ o'clock P. M.

The House met, and was called to order by the Speaker.  
Roll called: quorum present.

Mr. Walker offered the following:

*Resolved*, That members, in giving the reasons for their votes on the question before the House, shall be limited to five minutes.

Mr. Ingersoll offered the following as a substitute therefor:

*Resolved*, That in all further debate upon the alleged contempt matter, now pending, no Representative shall occupy more than five minutes, without the unanimous leave of the House;

Which was adopted.

Mr. Ingersoll offered the following:

*Resolved*, That this House do adjudge Daniel Burns guilty of the contempt and fraud, as preferred against him in the charges set forth and read to said Daniel Burns by the Speaker of this House.

Mr. Cameron demanded the yeas and nays;

The demand was seconded, and the resolution was adopted, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Harris,	Mr. Riopelle,
Avery,	Holt,	Rowlson,
Barnaby,	Horton,	Sanford,
Baxter,	Hubbard,	Seward,
Bostwick,	Hunt,	Shaw,
G. G. Briggs,	Hurlbut,	Sheldon,
R. V. Briggs,	Huston,	Shier,
Cameron,	Ingersoll,	Sickels,
B. Clark,	L. Kendrick,	Smith,
O. Clark,	Kingsley,	Snell,
Cogshall,	Klein,	Swift,
Crane,	Lovell,	Wagner,
Curry,	Mason,	Walker,
Davis,	McCowan,	Walton,
Eaton,	Mead,	Ward,
Fenner,	Miller,	Weier,
Fuller,	Mitchell,	Westover,
Gay,	Newman,	Wilcox,
Gifford,	Norton,	J. A. Williams,
Goodrich,	Putnam,	Yawkey,
Grant,	Riford,	Speaker, 63.

## NAYS.

Mr. Miles,	Mr. Romeyn,	Mr. Wendell,
Millington,	Stannard,	White,
Murray,	Stewart,	W. D. Williams,
Plimpton,	Ternes,	Woodard,
Purcell,		

13.

Mr. Ingersoll offered the following:

*Whereas*, Daniel Burns has, by a resolution of this House, been declared guilty of a contempt upon the dignity of this House, and of practicing a fraud upon its proceedings; therefore,

*Resolved*, That the said Daniel Burns be brought to the bar of this House, by the Sergeant-at-Arms, there to receive the censure and reprimand of this House, to be pronounced by the Speaker thereof.

Mr. Miles offered the following as a substitute therefor:

*Resolved*, That the respondent, Daniel Burns, having been convicted by his own admission, of having altered in one respect, or one instance, the bill in the hands of the committee on banks and incorporations, entitled "A bill to revise the charter of the city of Bay City," without the consent of said committee, and has thereby made himself liable to punishment for contempt of the high prerogatives of this House, and in punishment for said contempt, this House does now order and declare that said Daniel Burns shall be confined within the bar of this House for six hours in each day, for the space of ten days, during the morning and afternoon sessions thereof, then and there to listen attentively to all the elaborate and eloquent speeches which shall be made by the Honorable members of this body; and if, upon the expiration of said term, he, the said Daniel Burns, shall be alive, he shall be honorably discharged from further service and the custody of the Sergeant-at-Arms.

Mr. Ingersoll demanded the yeas and nays:

The demand was seconded, and the resolution was not adopted, by yeas and nays, as follows:

YEAS.

Mr. Doty,  
Miles,

Mr. Millington,  
Plimpton,

Mr. Riopelle,  
Woodard, 6

NAYS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,

Mr. Holt,  
Horton,  
Hubbard,  
Hunt,

Mr. Seward,  
Shaw,  
Sheldon,  
Shier,

Bostwick,	Hurlbut,	Sickels,
G. G. Briggs,	Huston,	Smith,
R. V. Briggs,	Ingersoll,	Snell,
Cameron,	L. Kendrick,	Stannard,
B. Clark,	Kingsley,	Stewart,
O. Clark,	Klein,	Swift,
Cogshall,	Lovell,	Ternes,
Crane,	Mason,	Walker,
Curry,	McCowen,	Walton,
Davis,	Mead,	Ward,
Eaton,	Miller,	Weier,
Elliott,	Murray,	Wendell,
Fenner,	Newman,	Westover,
Faller,	Purcell,	White,
Gay,	Putnam,	Wilcox,
Gifford,	Riford,	J. A. Williams,
Goodrich,	Romeyn,	W. D. Williams,
Grant,	Rowlson,	Yawkey,
Harris,	Sanford,	Speaker, 69

Mr. Huston moved to amend the resolution of Mr. Ingersoll by adding thereto the following:

*Resolved*, That said Daniel Burns shall also pay all necessary expenses incurred by the Sergeant-at-Arms of this House, in making the arrest of said Burns, and of his detention by said Sergeant-at-Arms, and in case of his refusal to pay the same, the said Daniel Burns be detained in custody in the county jail of Ingham county, until the close of the present session of the Legislature.

Mr. Huston demanded the yeas and nays;

The demand was seconded.

Mr. Miles offered the following, as an amendment to the amendment of Mr. Huston:

*Resolved*, That after being so reprimanded by the Speaker of this House, it is hereby ordered and declared by this House, that the respondent, Daniel Burns, be taken to the common jail of the county of Ingham, there to be confined and held in custody by the keeper of said jail, during the continuance of the present session of this Legislature;

Which was not adopted.

Mr. Romeyn offered the following as a substitute for the original resolution of Mr. Ingersoll:

*Whereas, Daniel Burns has been duly convicted by this House, of a high contempt, and breach of the privileges thereof; therefore,*

*Resolved, That said Daniel Durns be imprisoned in such county jail as shall be selected by the Speaker of this House, until the end of the present session of the Legislature.*

The question being first upon the adoption of the amendment proposed by Mr. Huston,

Mr. Holt moved to amend the amendment proposed by Mr. Huston, so that it should read as follows:

*Resolved, That said Daniel Burns also pay to the Treasurer of this State, within twenty-four hours, a fine of fifty dollars, and in case of his neglect or refusal so to do, that he be committed to the county jail of Ingham county until said sum is paid as aforesaid, or until the close of the present session of this Legislature.*

Mr. Plimpton demanded the yeas and nays;

The demand was seconded, and the amendment was adopted, by yeas and nays, as follows:

YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Bostwick,  
G. G. Briggs,  
Cameron,  
B. Clark,  
O. Clark,  
Crane,  
Curry,  
Davis,  
Fenner,  
Fuller,  
Gay,

Mr. Grant,  
Holt,  
Horton,  
Hunt,  
Hurlbut,  
Huston,  
Ingersoll,  
L. Kendrick,  
Kingsley,  
Mason,  
McCowan,  
Mead,  
Mitchell,  
Newman,

Mr. Norton,  
Rowson,  
Sanford,  
Shaw,  
Shier,  
Sickels,  
Smith,  
Snell,  
Wagner,  
Walker,  
Walton,  
Wilcox,  
J. A. Williams,  
Yawkey,

## NAYS.

Mr. R. V. Briggs,	Mr. Miller,	Mr. Stewart,
Oogahall,	Millington,	Swift,
Doty,	Murray,	Ternes,
Eaton,	Plimpton,	Ward,
Elliott,	Purcell,	Weier,
Gifford,	Putnam,	Wendell,
Goodrich,	Riford,	Westover,
Harris,	Riopelle,	White,
Hubbard,	Romeyn,	W. D. Williams,
Klein,	Seward,	Woodard,
Lovell,	Sheldon,	Speaker,
Miles,		

34

Pending the announcement of the vote,

Mr. Norton moved that Mr. Romeyn be excused from voting;

Which motion did not prevail.

Mr. Romeyn then voted as recorded above.

Mr. G. G. Briggs moved that Mr. Ward be excused from voting;

Which motion did not prevail.

Mr. Ward then voted as recorded above.

The question then being upon the adoption of the amendment of Mr. Huston, as amended,

It was adopted, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Gay,	Mr. Newman,
Avery,	Grant,	Norton,
Barnaby,	Holt,	Rowlson,
Baxter,	Horton,	Sanford,
Bostwick,	Hunt,	Shaw,
G. G. Briggs,	Hurlbut,	Shier,
Brownell,	Huston,	Sickels,
Cameron,	Ingersoll,	Smith,
B. Clark,	L. Kendrick,	Snell,
O. Clark,	Kingsley,	Wagner,
Crane,	Mason,	Walker,
Curry,	McCowen,	Walton,
Davis,	Mead,	Wilcox,
Fenner,	Miller,	J. A. Williams,
Fuller,	Mitchell,	Yawkey,

45

## NAYS.

Mr. R. V. Briggs,	Mr. Miles,	Mr. Stewart,
Cogshall,	Millington,	Swift,
Doty,	Murray,	Ternes,
Eaton,	Plimpton,	Ward,
Elliott,	Purcell,	Weier,
Gifford,	Putnam,	Wendell,
Goodrich,	Riford,	Westover,
Harris,	Riopelle,	White,
Hubbard,	Romeyn,	W. D. Williams,
Klein,	Seward,	Woodard,
Lovell,	Sheldon,	Speaker, 83

Pending the announcement of the vote,

Mr. Stewart moved that Mr. Miller be excused from voting;  
Which motion did not prevail.

Mr. Miller then voted as recorded above.

The question then recurring upon the adoption of the substitute offered by Mr. Romeyn,

It was withdrawn.

The question then being upon the adoption of the original resolution of Mr. Ingersoll, as amended,

Mr. Riford called for a division of the question, that the question might be taken on the first and second resolutions separately;

The question being on the adoption of the first resolution, it was adopted, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Hubbard,	Mr. Rowson,
Avery,	Hunt,	Sanford,
Barnaby,	Hurlbut,	Seward,
Baxter,	Huston,	Shaw,
Bostwick,	Ingersoll,	Sheldon,
G. G. Briggs,	L. Kendrick,	Shien,
R. V. Briggs,	Kingley,	Sickels,
Brownell,	Klein,	Smith,
Cameron,	Lovell,	Snell,
B. Clark,	Mason,	Stewart,
O. Clark,	McCowan,	Swift,
Cogshall,	Mead,	Ternes,
Crane,	Miles,	Wagner,
Curry,	Miller,	Walker,



Davis,	Millington,	Walton,
Doty,	Mitchell,	Ward,
Eaton,	Murray,	Weier,
Fenner,	Newman,	Wendell,
Fuller,	Norton,	Westover,
Gay,	Plimpton,	White,
Gifford,	Purcell,	Wilcox,
Goodrich,	Putnam,	J. A. Williams,
Grant,	Riford,	W. D. Williams,
Holt,	Riopelle,	Yawkey,
Horton,	Romeyn,	

74

## NAYS.

Mr. Elliott,

Mr. Woodard,

2

The question recurring on the adoption of the second resolution, it was not adopted, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Fuller,	Mr. Newman,
Avery,	Grant,	Norton,
Barnaby,	Holt,	Rowlson,
Baxter,	Horton,	Sanford,
Bostwick,	Hunt,	Shier,
G. G. Briggs,	Hurlbut,	Sickels,
Brownell,	Huston,	Smith,
Cameron,	Kingsley,	Wagner,
B. Clark,	Mason,	Walker,
O. Clark,	McCowan,	Walton,
Davis,	Mead,	Ward,
Fenner,	Mitchell,	J. A. Williams,

86

## NAYS.

Mr. R. V. Briggs,	Mr. Lowell,	Mr. Stewart,
Cogshall,	Miles,	Swift,
Curry,	Miller,	Ternes,
Doty,	Millington,	Weier,
Eaton,	Murray,	Wendell,
Elliott,	Plimpton,	Westover,
Gay,	Purcell,	White,
Gifford,	Putnam,	Wilcox,
Goodrich,	Riford,	W. D. Williams,
Harris,	Riopelle,	Woodard,
Hubbard,	Seward,	Yawkey,
Ingersoll,	Sheldon,	Speaker,
Klein,	Snell,	

88

Pending the announcement of the vote,

Mr. Horton moved that Mr. Ward be excused from voting;  
Which motion did not prevail.

Mr. Ward then voted as recorded above.

Pending the announcement of the vote,

Mr. G. G. Briggs moved that Mr. Horton be excused from voting;

Which motion did not prevail.

Mr. Horton then voted as recorded above.

Mr. Plimpton moved that the Sergeant-at-Arms be directed to bring the said Daniel Burns to the bar of the House, there to receive the reprimand ordered by the resolution adopted;

Which motion prevailed.

The Sergeant-at-Arms then brought the said Daniel Burns before the bar of the House, and the Speaker proceeded to reprimand him in the following language:

*Daniel Burns*: The House have imposed upon the Chair a solemn and responsible duty; that of pronouncing the sentence of the House upon you.

The charge for which you were brought before the bar of the House, was for taking from this House a certain bill or paper which had been introduced to this House and referred to a committee, and it then became the property of this House. The chairman of that committee, reposing in your integrity as a man, permitted you to look at the bill and examine it. You violated that trust; you took the bill and conveyed it out of this Hall; and upon your own confession, as well as upon the evidence adduced before this House, did mutilate that bill.

The House, upon a solemn vote, have pronounced you guilty of the charge which was made against you at the bar of the House to-day, and the Chair has not the slightest question that it is within the power of the House to inflict any punishment on you which they may deem proper; or at least, a much more severe punishment than a reprimand. The House has the power, in the opinion of the Chair, to inflict punishment by fine or imprisonment. If the statute quoted by gentlemen, debarred this House from inflicting any punishment

upon you, it would leave it open for any person, not a member of this House, to come within this Hall and take from it even its general order, or any order of the House which might, through the courtesy of the clerk or chairman, be confidentially entrusted to his hands. He might leave the House and depart with it, leaving the House no power whatever to retain or recover its documents, thus leaving it within the power of persons, not members of the House, to tamper with the laws of the Legislature; to retard its business, and in fact to destroy the Legislature. The Chair is of the opinion that the House has complete control over its own affairs.

It becomes necessary, to preserve the dignity and honor of this House, that this matter should not be slightly treated or overlooked; that you should be arraigned and brought before the bar, to answer to the charge made against you, and the House have, by their vote, ordered me to solemnly reprimand you for willfully violating the honor and dignity of this House.

On motion of Mr. Plimpton,

The respondent was then ordered to be discharged from custody.

On motion of Mr. Plimpton,

The House adjourned until to-morrow morning at 9 o'clock.

---

*Lansing, Saturday, March 13, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Perrine.

Roll called: quorum present.

Absent without leave: Messrs. Blake, Boynton, Brownell, Eek, Hutchinson, Jewell, Lane, Mandigo, Miller, Norton and Purcell.

Mr. Romeyn asked and obtained leave of absence for Mr. Boynton, until Tuesday morning.

Mr. Sickels asked and obtained leave of absence for Mr. Blake, until Tuesday morning.

Mr. Mead asked and obtained leave of absence for Mr. Miller, until Tuesday morning next.

Mr. R. V. Briggs asked and obtained leave of absence for Mr. Purcell, until Monday noon.

Mr. Plimpton asked and obtained leave of absence for himself, from to-day, until Tuesday morning.

Mr. Barnaby asked and obtained leave of absence for himself, until Monday noon.

Mr. L. Kendrick asked and obtained leave of absence for Mr. Brownell, until Tuesday morning.

Mr. Millington asked and obtained leave of absence for Mr. Eck, until Monday next.

Mr. Goodrich asked and obtained leave of absence for Mr. Hutchinson, until Tuesday next.

Mr. Holt asked and obtained leave of absence for Mr. Norton, for the day.

Mr. Millington asked and obtained leave of absence for Mr. Mandigo, until Tuesday next.

Mr. Walton asked and obtained leave of absence for Mr. Jewell, until Wednesday next.

Mr. Yawkey asked and obtained leave of absence for Mr. Lane, for an indefinite time, on account of sickness.

#### PRESENTATION OF PETITIONS.

By Mr. W. D. Williams: memorial of Robert Metzner and 28 others, citizens of the Upper Peninsula, asking that the Upper Peninsula be ceded to the General Government.

Referred to the committee on federal relations.

#### REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred House bill No. 144, entitled

A bill to amend section 24, of chapter 140, of the revised statutes of 1846, being section 5384 of the compiled laws, relative to the limitations of action, and to repeal act No. 30, of the session laws of 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Stewart,

The House concurred in the amendment made to the bill by the committee.

On motion of Mr. Mead,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 150, of chapter 117 of the compiled laws, relative to the stay of execution in justices' courts,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Walker,

The bill was laid on the table.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate joint resolution No. 19, being

Joint resolution relative to an outstanding treasury warrant,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The joint resolution was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to provide for the payment of taxes levied and assessed upon lands purchased and held for non-payment of taxes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Smith,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on religious and benevolent societies:

The committee on religious and benevolent societies, to whom was referred

A bill to amend an act entitled "An act to authorize the organization of Young Men's Christian Associations," approved March 27, 1867, by adding two new sections thereto,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, or recommendation, and ask to be discharged from the further consideration of the subject.

JAMES ASHLEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. L. Kendrick,

The bill was laid on the table.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred House bill No. 48, entitled

A bill to provide for laying out and establishing a State road in Kent and Ionia counties, and opening the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, as having been improperly referred to this committee, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman.*

Report accepted and committee discharged.

MESSAGE FROM THE SENATE.

By unanimous consent, the Speaker announced the following:

SENATE CHAMBER,  
*Lansing, March 12, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to request the House to return to the Senate House bill No. 48, entitled

A bill to provide for laying out and establishing a State road in Kent and Ionia counties, and opening the same.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

On motion of Mr. Baxter,

The Clerk was instructed to return the bill to the Senate.

By the committee on State Library:

The committee on State Library, to whom was referred Senate bill No. 135, being

A bill to provide for the purchase of books for the State Library,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. S. STANNARD, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to detach certain territory from the township of Hancock, in Houghton county, and attach the same to the township of Adams, in said county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. H. ORANE, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred

A concurrent resolution to protect actual settlers, resident upon railroad and other lands, in their rights as purchasers of such lands,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it be printed and placed upon the general order, and ask to be discharged from the further consideration of the subject.

R. B. SMITH, *Chairman.*

Report accepted and committee discharged.

The concurrent resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend the charter of the village of Kalamazoo;

Also,

A bill to amend an act entitled an act to incorporate the vil-



lage of St. Joseph, approved March 17, 1834, and the acts amendatory thereto,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

DAN'L L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

The bills were ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to provide for the formation of joint stock companies for the purpose of owning property and maintaining skating parks or rinks;

Also: petition of Samuel L. Potter, Sylvester Ray, O. T. Brinton and 58 others, asking the passage of the bill,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

DAN'L L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

#### REPORTS OF SELECT COMMITTEES.

Mr. Miles, by unanimous consent, offered the following:

*Resolved*, That the special committee appointed by this House to examine into the affairs of the Detroit and Milwaukee Railroad, be and they are hereby requested to report the same *instanter*;

Which was adopted.

REPORT of the majority of the special committee, to whom was referred House resolution of the date of January 16, 1869, in relation to the affairs of the Detroit and Milwaukee Railroad Company.

The majority of the special House committee, to whom was referred the subject embraced in the following resolution:

*"Resolved, That a special committee of five be appointed, to inquire by what authority, if any, the so-called Detroit and Milwaukee Railroad Company are exercising the power and privileges of a corporate body, with power to send for persons and papers, and to report by bill or otherwise, as to said authority, and also as to the general management of said road,"*

Bea leave respectfully to present the following report. After giving the subject embraced in the foregoing resolution every consideration, they find, as follows:

*First.* That the Detroit and Pontiac Railroad Company was organized under the act of March 7, A. D. 1834, and that said road was built from Detroit to Pontiac under and by virtue of said charter.

*Second.* That all the rights, privileges and franchises of the said Detroit and Pontiac Railroad Company were conferred on the Detroit and Milwaukee Railway Company by the Legislature of the State of Michigan, at its regular session in 1855.

*Third.* That the Legislature of the State of Michigan incorporated the Ottawa and Oakland Railroad Company, April 3d, 1848, with full power to construct a double or single track railroad from Pontiac to Lake Michigan, in the county of Ottawa.

*Fourth.* That the Legislature of the State of Michigan, by an act approved February 13th, 1855, provided that the Detroit and Pontiac Railroad Company should hereafter be known by the name of the Detroit and Milwaukee Railway Company, and that under that name the capital stock of said company might be increased from time to time to an amount not exceeding \$10,000,000 in such manner as might be determined by the board of directors of said company.

*Fifth.* That the Detroit and Milwaukee railway company was organized for the purpose of forming a continuous line, to purchase all the property, rights and franchises of the said Oakland and Ottawa railroad company, upon such terms as they should mutually agree upon. And the stockholders of the said Oakland and Ottawa railroad company should, in case of any such sale, become stockholders of the said Detroit and Milwaukee railway company, in such proportions as might be agreed upon in the terms of such sale, and then that the said Oakland and Ottawa railroad company should thereafter become forever merged in the said Detroit and Milwaukee railway company.

*Sixth.* That the said Detroit and Milwaukee railway company was duly organized, in pursuance of, and under the act of Feb. 13, 1855, above referred to; and by its new name, the said company was authorized to continue its road to Lake Michigan, and exercise all the rights of the Detroit and Pontiac railroad company over the whole route.

*Seventh.* That on the first day of January, A. D. 1858, a mortgage was made by the said Detroit and Milwaukee railway company, to C. J. Brydges, Thomas Reynolds, and H. C. J. Beecher, in trust, to secure bonds to the amount of \$750,000, for the payment of the same.

*Eighth.* That on the 12th day of November, 1858, another mortgage of like kind was executed to the same trustees, to secure bonds to the amount of \$500,000. All of which bonds were taken for their par value, and the money received and used by said company in the construction and completion of said road.

*Ninth.* That no part of the principal or interest of said bonds having been paid, on the 16th day of April, 1859, a bill in chancery was filed in the circuit court of the United States for the district of Michigan, to foreclose said mortgage, and that such proceedings were thereupon had, that a sale of the property and franchises of the corporation was made, in all respects legal in its character, to Thos. Reynolds and William Gray, Esqs., October 4, 1860; that the said Gray and Reynolds, on

the 17th day of October, A. D. 1860, conveyed to the Detroit and Milwaukee railroad company all the property and franchises bought by them on the 4th day of October preceding; that the said Detroit and Milwaukee railroad company, in its corporate name, issued new stock in the form of preference shares, (not exceeding the amount authorized by the act of 1859,) to the holders of bonds secured by the mortgage foreclosed, and secured such preferred shares of stock by a mortgage dated December 13, 1860, and afterwards issued stock under the act of March 4, 1861, in pursuance of resolutions adopted by the shareholders and directors to the amount of twenty per cent. of the original shares to such shareholders in the Railway Company as were entitled to the same; that the said Railroad Company, since its organization, has had full and quiet possession of said railroad, and has operated it from that day until the present by and under the name of the Detroit and Milwaukee Railroad Company, and have annually paid their specific State tax, and made their yearly reports, as all other railroads are required by law to do, to the Auditor General, as appears by the reports of the Auditor General, published according to law. That your committee, in the examination of the various acts passed by the Legislature, as well as the constitution of the State, widely differ in their conclusion from that portion of the report of the special committee appointed to investigate the affairs of the Detroit and Milwaukee Railroad Company by the Legislature of 1867, wherein, as appears by the printed report of said committee, they declare the act of the Legislature of 1855 was void and unconstitutional, because section 1, of article 15, of the constitution of Michigan declares, "Corporations may be formed under general laws, but shall not be created by special act, except for municipal purposes."

The act of February 13, 1855, (No. 140,) authorizes the consolidation of the Detroit and Pontiac and the Oakland and Ottawa railroad companies, to form a continuous line from Detroit to Lake Michigan, under the name of the Detroit and Milwaukee railway company. And the amendment to the con-

stitution, which requires a vote of two-thirds of the members elected to constitute such acts of the Legislature legal, and which is referred to by the committee of 1867, as declaring the act of 1855 as unconstitutional, was not passed and made a part of the organic law, until the session of 1861, and adopted by the people at the general election in Nov. 1862, *seven years* after the consolidation of the two railroads had taken place. And also that section eight, of article 15, of the constitution, declaring "That the Legislature shall pass no law altering or amending any act of incorporation heretofore granted, without the assent of two-thirds of the members elected to each house, nor shall any such act be renewed or extended;" and to which the committee of 1867 refer, in their report, as applicable to the Detroit and Milwaukee railroad company, is, in the judgment of your committee, wholly inapplicable and without any bearing, for the reasons following: The act of February 13, 1855, (No. 140,) authorizing the consolidation of the two companies aforesaid, did not in any wise alter or amend any act of incorporation, but then, as now, left all the rights, privileges and franchises of the Detroit and Pontiac railroad standing in the same relative situation as when organized under the act of March 7, 1834; and the same is equally true of the Oakland and Ottawa railroad company, under and by the terms of its charter.

Your committee deem it wholly unnecessary to examine the journals of either branch of the Legislature of 1855, to ascertain whether the act did or did not receive the required number of votes necessary to pass the bill. It is enough to know that the act was properly enrolled, signed by the President of the Senate and the Speaker of the House of Representatives, presented to the Governor of the State, approved of and signed by him, deposited with the Secretary of State, published by authority among the laws passed at that session of the Legislature; and that we find in the compiled laws of 1857, that the printed copies of all statute acts and resolves of this State, whether of a public or private nature, which shall be published under the

authority of the government, shall be admitted as sufficient evidence thereof in all courts, in all proceedings within this State, and therefore look upon this, that it was so printed in the laws of the State, as conclusive that no invalidity exists, and that it is a question which can only be determined and settled by the courts of the State.

Your committee have had summoned and sworn before them Mr. H. H. Emmons, of the city of Detroit, formerly and for many years the counsel, but now employed against the company; Mr. George Jerome, for ten years attorney of the company; Mr. C. C. Trowbridge, well and widely known throughout the State, who for 15 years has been connected with the road as Secretary, Resident Director and President of the Company; Mr. Thomas Bell, the Superintendent of the road; Judge Gould, of Owosso; Mr. Enright, formerly employed as assistant engineer; Mr. Osburn and Mr. Knapp, merchants of Owosso; Senator Rich, of Ionia, all living upon the line of the road, and who have been carefully and fully examined, whose testimony thus taken, under oath, has been reduced to writing and subscribed by each witness, (which testimony accompanies this report,) and from the combined testimony, your committee are of the opinion, equally with Mr. Emmons and Mr. Jerome, that in the proceedings for the foreclosure of the mortgage above referred to, and the sale under and by virtue of such foreclosure and decree, and the re-organization which has vested the title in the Great Western Railway of Canada, that said title to the Detroit and Milwaukee Railroad is as perfect as any one could get upon a sale of a farm under a like proceeding in chancery to foreclose a mortgage legally made and executed, and the farm bid in, under the provisions of the statutes of this State, in such case made and provided; that, in fact, if any doubt existed in the matter, Mr. Emmons, to make assurances doubly sure, procured at various times subsequent legislation, confirming all the proceedings of foreclosure. He also states that in his ten years as counsel for the company, having his office in their station at Detroit, he had rarely heard any complaints of

differences between the company and its customers, and that although he had sometimes heard complaints, they were investigated with the utmost promptness by the officers at Detroit, who were unwearied in their efforts to promote kindly feelings along the entire line of their Railroad, and that, in 25 years' experience as counsel for railroads, he had never known a company who had dealt more honestly and generously by its unsecured creditors than the Great Western, through the Detroit and Milwaukee Railroad Company, had done by the creditors of the Detroit and Milwaukee Railway Company, and instanced on the part of the Great Western Railway Company the adjustment of \$2,000,000 unsecured claims to take priority over their own debt. Mr. Emmons and Mr. Jerome also testify that since the adjournment of the last Legislature, even the Attorney General had declined proceeding under the permissive resolution of that body to file a *quo warranto* against the company, simply for the reason that there was nothing to found such action upon.

Mr. Trowbridge and Mr. Bell testified that the road is divided into departments; that the Secretary's department has charge of the records, accounts and finances; the stores department having charge of the whole question of freights, both local and general; the Engineers department having charge of the entire line, track, bridges, &c., which is separated into three divisions, each with a division inspector; the mechanical department having charge of the locomotives, and all work done in the shops of that department for cars, bridges, &c., &c.; the car department, in which the cars of the road are made and daily repaired, and that to each of these departments there is a head, and that he employs the men who are to do the work. The whole number of men employed is about a thousand. No questions are asked as to the applicants nationality, and it so happens, as appears from the testimony before your committee, that seventy per cent. of the men in the mechanical department are American citizens by birth. In the car department the proportion is somewhat less, and the knights of the pick-axe here, as else-

where, are mostly foreign born, although many of them are naturalized citizens. It is also in evidence that the present Superintendent of the Jackson, Lansing and Saginaw Railroad, and the hero who, having entered the army of Michigan volunteers, from the Detroit and Milwaukee Railroad, and who has earned the highest honors as a soldier—having fought a hundred battles, is now the Superintendent of the Grand River Valley Railroad. These gentlemen, and others who hold high positions in various railroad companies, have served for many years in the employment of the Detroit and Milwaukee Railroad, and are to-day naturalized citizens of the United States.

The testimony of C. C. Trowbridge, President of the Detroit and Milwaukee Railroad, (than whom no citizen stands higher in the State,) revealed to the committee certain facts which cannot but redound to the credit of the company, when the mists and clouds of prejudice have been cleared away. It appears that the Great Western railway company, as last mortgagee, had it in its power to collude with prior mortgagees and cut off every dollar of unsecured debt, and all the stock of the old company. Instead of doing this, they called a meeting of the creditors and shareholders together, and then and there, upon a full statement of the case, an agreement was made for the protection of all parties; which agreement, according to the testimony of Mr. Trowbridge and Mr. Emmons, has been carried out in good faith, at which time and place the Great Western railway did consent to let these creditors take precedence over their own debt.

The committee, with the exception of its chairman, have every reason to believe that the current business of the Detroit and Milwaukee railroad company is performed with as much fairness as that of any other road, east or west. And further, that the company at this time owes no floating debt.

Under the resolution adopted for the action of your committee, and from all the circumstances and testimony adduced before your committee, they have every reason to believe that



they are warranted in the expression of the following as their opinion:

*First.* That the company has a good and indefeasible charter.

*Second.* That it is as much American in its character and management as other western roads controlled by foreign capital.

*Third.* That it is honestly, liberally and properly managed.

*Fourth.* That it is now in a prosperous and flourishing condition.

*Fifth.* That in the opinion of your committee the Legislature of our State is in duty bound to take a high and honorable stand, and show to foreign capitalists, whose money we are seeking to bring into the State, that they will be met by the constituted authorities of the State in a spirit of frankness worthy of regard, and that their rights will be held by the people of Michigan as sacred as those of native born citizens. The honor of our noble State, upheld on a thousand battle-fields and untarnished in its fiscal history, will admit of no less. Thus far Michigan has had in the monied circles of the East and across the Atlantic a reputation for integrity in all her financial transactions second to no other State in the Union, and it is an undeniable fact that none of the other States in the great Northwest have in any way, through their Legislatures, for many years past, deemed it proper or advisable to interfere with the vested rights of railroad corporations wherever the railroads have been constructed in conformity to the intent expressed in their charters or in compliance with the interests of the masses along the proposed line. A course prosecuted similar to the one under consideration, in any of the great States of Ohio, Indiana, Illinois, Wisconsin, Iowa or Minnesota, would cause a sad depreciation of their bonds and stocks, and would so cripple them in the financial markets of the world that almost inevitable ruin would be the result; and now as we are desirous of developing the great wealth of our State by asking capital to come to our aid, is it advisable, by unfriendly legislation, to drive out the

monied interests that would otherwise seek investment in our midst?

*Sixth.* Your committee, except its chairman, concur in the opinion, that of all the vested rights created by legislative enactment in our State, none should be held more sacred and inviolate than those of our railroad corporations, intersecting, as they do, nearly every point of the compass in our State; bringing yearly, as they do, thousands to become citizens within the limits of our fair *Peninsula*; conveying each day the products of the West to the East, and returning with the productions not only of our own country, but of the world, and thereby increasing the great wealth of the nation in a ratio without a parallel in the world's history.

*Seventh.* It is a vital question, second in importance to none that can properly become the subject matter of legislative action, whether, in view of the general wants of the State, and the public voice, for additional lines of railroad, east and west, as well as those now being constructed towards the northwestern limits of our State, the Legislature should be constantly annoyed and appealed to at each session to examine into the private affairs of railroad companies, or whether the exhibition of committees, appointed at each session of the Legislature of this State by resolution, "with power to send for persons and papers," should be longer permitted to become stereotyped in the journals and documents of each legislative body, for some fancied wrong, or to appease the vanity or heated imagination of individuals who may work themselves up to a seeming honest belief that wrong exists somewhere; or whether, with a view of giving additional stability to our bonds and the shares of our railroads, at home or in a foreign market, we shall say here, that we, as legislators, having the best and dearest interests of our State at heart, will frown upon all efforts, now and in the future, to disturb the vested rights of our railroads. Any other course, if persisted in, will, in the future, tend to repel all capital from our State, and this, too, at a time when we are soliciting aid for the construction of new railroads. As a State, we must at

least manifest good faith toward those who, at an early day, stepped forward when difficulties and financial embarrassment surrounded us, and pushed forward a noble work to a successful termination. This was peculiarly the relationship subsisting between the shareholders of the Great Western railway and the Detroit and Milwaukee railroad company.

*Eighth.* That no evidence or proof has been offered before your committee, although ample opportunity has been given, showing that the Detroit and Milwaukee railroad are, or have been, violating any of the laws of this State, or disregarding any of the requirements of their organic law; that, in fact, no charge, except that of a frivolous nature, (and which exists as well against every railroad through the entire State and country,) is made against the Detroit and Milwaukee railroad company, and yet this railroad has been signally selected as the target for legislative assault year after year, simply, so far as it appears, because the managing owners are guilty of no other offense than that of operating the road according to their own convictions of right, and the rules adopted by them for the management of their road by its legitimate and proper officers, and who are citizens of another government, who came into our State by the request and invitation of our own citizens, and who have expended millions of dollars in constructing a railroad which we were unable for years to build ourselves, and whose owners cannot benefit themselves without at the same time conferring similar benefits upon our own citizens.

*Ninth.* Your committee submit, for the consideration of the House of Representatives, whether the supposed or real grievances, by, for or against railroads, should not be determined in the future by our courts of law. Already have the newspapers, in the monied markets of our Atlantic cities, referred to the unfriendly legislation of our State in reference to our railroads. Capitalists, making investments, have grown timid and restive under this infliction of unwise legislative interference on, what is regarded in all our sister States, as vested rights, only to be taken away, modified or corrected by our courts of law.

The voluminous law reports of nearly all the States of the Union, exhibit a multitude of cases brought for or against railroads, and fully justify and warrant us in this conclusion. Your committee, therefore, hope that the facts and suggestions embraced in this report, will be adopted by the House of Representatives as conclusive, and in favor of the legality of the charter of the Detroit and Milwaukee railroad company, fully believing, as we do, that after three unsuccessful attempts to destroy the fair fame and reputation of one of the oldest railroads in the State, that any movement or action on the part of future Legislatures will be instantly frowned down, and the party seeking redress referred to the State courts as the only proper and legitimate channel to hear wrongs, whether fancied or real, and there to be properly adjudicated.

*Tenth.* Your committee cannot, in justice to themselves, close this voluminous report without saying that in all their investigations they have been prompted by a desire to see the laws of the State upheld and the requirements thereof fully and minutely complied with, and at the same time do strict and impartial justice to the Detroit and Milwaukee Railroad Company. Taking this as a stand point, your committee thoroughly examined legal gentlemen interested for and against the road, and no disagreements occurred in their testimony touching the legal questions heretofore decided by former committees.

Further, they have carefully examined the law and constitution, and as must be seen, disagree with former published reports of other States, to ascertain the true policy of States towards co-partners and capitalists, either foreign or domestic.

The charges of alleged abuses and mismanagements, as is shown by the testimony of all the witnesses, are of a nature frivolous and unworthy the notice of this Honorable body, in the opinion of your committee.

Your committee cannot close this report without asking that every member give the evidence accompanying this report his personal consideration, believing, as we do, that this matter has been a source of great expense to the State, detrimental

and injurious to this important line of railroad, and that the honor of the State demands that this expense and annoyance in the future should be promptly suppressed, at the same time giving any and all individuals the right to go to the courts for redress, instead of repeatedly placing a Legislature in the ridiculous position of "cat's-paw" to gratify the hatred and ill feeling that other parties have, or fancy they have against individuals and corporations of this character in our State.

The committee therefore submit the following resolution:

*Resolved*, That in the opinion of this House, the several points made by the committee, to investigate the affairs of the Detroit and Milwaukee Railroad Company, have been fully sustained by the testimony brought before the committee, and that said testimony, with the report of the committee, be entered on the journal of this House, and printed for the information of the citizens of this State.

Signed,

E. M. PLIMPTON,  
BELA COGSHALL,  
JAMES L. CURRY,  
N. L. MILLER,

*Majority of Committee.*

DATED LANSING, MICH., March 5, 1867.

Report accepted and leave granted the minority of the committee to report.

On motion of Mr. Smith,

The resolution and report were laid on the table.

Mr. R. V. Briggs moved that the testimony referred to in the report be printed in the journal with the report;

Which motion did not prevail.

The minority of the committee then submitted the following report:

REPORT of the Chairman, being minority of the special committee to whom was referred the investigation of the affairs of the Detroit and Milwaukee Railroad Company.

The undersigned, chairman of the special committee to whom was referred the subject embraced in the following resolution, viz:

*"Resolved, That a special committee of five be appointed, to inquire by what authority, if any, the so-called Detroit and Milwaukee Railroad Company are exercising the powers and privileges of a corporate body, with power to send for persons and papers, and to report by bill or otherwise, as to said authority, and also to the general management of the road;"*

Begs leave to present the following report:

As to the "authority of the company to exercise the powers and privileges of a corporate body," the undersigned finds from an examination of the acts of the Legislature upon the subject, and the evidence produced before the committee, that the Detroit and Milwaukee Railroad Company claim to exercise such powers and privileges by virtue of a charter granted in the year 1831 to the Detroit and Pontiac Railroad Company;

Also, by virtue of an act of the Legislature of Michigan, in 1855, conferring upon the Detroit and Milwaukee Railway Company all the franchises of the Detroit and Pontiac Railroad Company, as a result of which consolidation, and by virtue of an act of the Legislature approved February 10, 1859, the company under its present name, commenced its existence;

As to the legality of the several acts of the Legislature by which the extraordinary transformations in the name and nature of this company came about, the undersigned would respectfully refer to the report of the special joint committee appointed by the Legislature of 1867 upon this subject, which is as follows:

*First.* That the Detroit and Milwaukee railroad company claim to be exercising the powers and privileges of a corporate

body, under and by virtue of a charter known as the charter of the Detroit and Pontiac railroad company, granted in the year 1834.

*Second.* That the rights, privileges and franchises of said Detroit and Pontiac railroad company were conferred on the Detroit and Milwaukee railway company, by act of the Legislature of Michigan, in 1855.

*Third.* That the present organization known as the Detroit and Milwaukee railroad company, has resulted from proceedings had under and by virtue of an act of the Legislature, approved February 10, 1859.

The above being deduced from the evidence of the officers of said corporation, your committee have been led to an examination of the several acts above cited, and to the constitution of this State, and have, after consultation with the Attorney General, arrived at the following conclusions:

*First.* That the act of 1855 was void. Section 1, of article 15, of the constitution, declares: "Corporations may be formed under general laws, but shall not be created by special act, except for municipal purposes."

Section 8, of article 15, of the constitution, declares: "The Legislature shall pass no law altering or amending any act of incorporation heretofore granted, without the assent of two-thirds of the members elected to each House; nor shall any such act be renewed or extended."

The following inquiries have suggested themselves to your committee:

*First.* Did the act of 1855 so alter or amend the act by which the Detroit and Pontiac railroad charter was granted, as to require a two-thirds vote of all the members elected to each House?

By reference to the act of incorporation by which the Detroit and Pontiac railroad company was organized, we find the corporation authorized to construct a single or double railroad from Detroit to Pontiac, over which said company were empowered to take, transport and carry persons and property by

the use of steam, of animals, or of any mechanical or other power, or of any combination of them.

No provisions are made by said act regulating rates of fare or of freight, neither does it appear that any subsequent legislation has been had affecting said road.

In 1848, the Legislature of Michigan, by act approved April 3, 1848, incorporated the Ottawa and Oakland railroad company, with power to construct a double or single track railroad from Pontiac to Lake Michigan, in the county of Ottawa.

How much and to what extent this corporation had operated under its charter, previous to the year 1855, your committee have not investigated, neither do they deem the fact important in their investigations.

We now invite attention to the act of the Legislature, approved Feb. 13th, 1855, by which the present Detroit and Milwaukee railroad company claim to be operating and doing business.

Section 1, of said act provides that the Detroit and Pontiac railroad company shall be known hereafter by the name of the Detroit and Milwaukee railway company.

Sec. 2. The capital stock of said company may be increased by said company from time to time to an amount not exceeding ten millions of dollars, in such manner as may be determined by the board of directors of said company.

Sec. 3. The said company is hereby authorized for the purpose of forming a continuous line, to purchase all the property, rights and franchises of the Oakland and Ottawa railroad company, upon such terms as shall be mutually agreed upon, and the stockholders of the said Oakland and Ottawa railroad company shall in case of such sale, become stockholders of said Detroit and Milwaukee railway company, in such proportions as may be agreed upon in the terms of sale; and the said Oakland and Ottawa railroad company shall thereupon become merged in the said Detroit and Milwaukee railway company.

Sec. 4. In case of the said purchase or consolidation, the said Detroit and Milwaukee railway company shall hold the whole



of said road and property, subject in all respects to the original charter of the Detroit and Pontiac railroad company, as amended from time to time, and shall have full power and authority to exercise the powers, privileges and franchises granted by said charter, over the whole line of said roads and property, in like manner as if both of said companies had originally been incorporated under said charter.

The original charter of the Detroit and Pontiac railroad company limited its stock to one hundred thousand dollars.

The capital stock authorized by the charter of the Oakland and Ottawa railroad was limited to two millions five hundred thousand dollars.

The act of consolidation authorizes the capital stock to be increased to ten millions of dollars.

The Detroit and Pontiac by its charter was authorized to construct a road from Detroit to Pontiac.

By the act of 1855, the name of the company is changed, and then by the new name the company is authorized to continue its road to lake Michigan, and exercise the rights of the Detroit and Pontiac railroad company over the entire route.

The question, could all these changes be authorized without the assent of two-thirds of the members elected in both Houses, is, we think, satisfactorily answered by reference to the several acts hereinbefore cited.

By reference to the House journals of 1855, your committee find the whole number of members elected to that body to have been seventy-one, of whom but forty-seven voted on the final vote by which it is claimed the act of 1855 became a law, and under which the said Detroit and Milwaukee railroad company are now exercising the rights and powers originally conferred upon the Detroit and Pontiac railroad.

The invalidity of the act of 1855 seems to be generally admitted, but that it has been cured by subsequent legislation, is now claimed, and your committee have been cited to an act of the Legislature, approved January 29, 1859, in support of that claim.

The object of said act is apparent upon its title, which is as follows:

"An act to legalize certain loans made by the Detroit and Milwaukee railway company, and to permit further loans."

That no other or further object was sought by said act than is expressed in its title, seems clear to your committee; hence, whether it was passed by a two-thirds vote of all the members elect or not, seems of no importance in our investigations, as we can see nothing in the act showing or tending to show that the Legislature intended to affect any law then existing, or to accomplish any other object than the passage of the bill then before it; and your committee can conceive of no rule by which a two-thirds vote, recorded on one measure, can be transferred in its effects to another measure not before the Legislature.

The report of that committee upon the constitutionality of the several acts referred to, is, in the opinion of the undersigned, comprehensive and conclusive. The members composing the committee were men of ripe judgment and legal ability. The report was made after consultation with the Attorney General, and the conclusions arrived at were the same to which the undersigned has arrived, after a careful examination of the acts cited and the constitution of the State. The minority of your committee therefore refers to said report for a more detailed statement of the facts, together with the legal reasoning founded upon them, and have thought it sufficient for the purposes of this report, to state the conclusions of the committee thereupon:

These conclusions are that the act of 1855, upon which basis it is apparent the whole superstructure of this corporation rests, is void.

*Fir.t.* Because it undertook by special act to form a corporation for other than a municipal purpose, in violation of section 1, of article 15, of the constitution, which declares that "corporations may be formed under general laws, but shall not created by special act, except for municipal purposes."

*Second.* Because it altered the name, increased the capital stock and extended the line of a railroad company by a vote of but forty-seven out of seventy-one members elect of the House of Representatives. (See House Journals, 1855.)

In violation of section 8, article 15, of the constitution of the State, which declares:

"The Legislature shall pass no law altering or amending any act of incorporation heretofore granted, without the assent of two-thirds of the members elected to such House, nor shall such act be renewed or extended."

In the opinion of the minority of your committee, the so-called Detroit and Milwaukee Rail Road Company are exercising the powers and privileges of a corporate body without any authority of law whatever; that the company is in the nature of a huge parasite, which has attached itself to the body of the law, has assumed its color, is sheltered in its shadow, and is apparently a part of it, but when examined closely, is found to have no natural relationship with it, but to be a foreign substance, connected by its own pertinacity only, and when severed from its unnatural support, will wither and die in a day, leaving nothing upon the law but the stain of its former presence.

It may seem singular that questions as to the legal existence of this company should not have arisen in the courts of the State.

The evidence before your committee shows that such questions have arisen in the circuit courts, and have been decided adverse to the company, and the matters in controversy then compromised without appeal, showing that the company was either satisfied with the judgment, and had no faith in itself, or dared not submit the question of the validity of the acts of its organization to the Supreme Court. In the county of Ionia, lands had been taken by the company for its use under the law authorizing railroad companies to take the land of individuals for its track. A suit in ejectment was brought by the owner, who claimed on the trial that the consolidation act of 1855 was unconstitutional, inasmuch as it claimed to extend the franchises of the Detroit and Pontiac Railroad Company's charter

beyond Pontiac, to Lake Michigan, and that the company had no power or jurisdiction to condemn the lands in question under the Pontiac charter. This was the issue tried, and judgment was rendered for the plaintiff: Judge Lovell presiding.

The suit was not appealed by the defendants, for reasons which are apparent to your committee.

Other suits have been brought involving the same questions, but have been settled, and suits are now pending in the courts in which it is claimed by the plaintiffs that the Detroit and Milwaukee Rail-way, and the Detroit and Milwaukee Rail-road companies are the same company.

These facts acquire an additional significance when it also appears that these suits are brought by the attorneys who were the attorneys and legal advisers of the company during the time of the passage of these acts and its pretended organization, and from these facts the minority of your committee infer that the question of the constitutionality of these acts, and the legal existence of the corporation, will never be permitted by it to be brought before any court of last resort, unless upon compulsion.

This company therefore, in the opinion of the minority of your committee, presents this anomaly in the history of corporations:

We find a corporation exercising the broadest and most unlimited corporate rights—rights with which the people at this day refuse to invest any corporate body, and this after a committee of both Houses of the Legislature of the State, after consultation with the Attorney General, have decided that in their opinion it has no legal existence as a corporate body; after the courts of the State have decided the acts under which it claims to be organized and acting are unconstitutional and void; and the company have acquiesced in such decisions by the payment or settlement of claims founded upon such decisions and opinions, without testing their correctness in the manner provided by law.

As to the second object of inquiry contemplated by the resolution, viz., the general management of the road, the chairman of your committee, on account of the result of their investigations respecting the more important matter of the legal existence of the corporation, as well as on account of the public notoriety of the facts concerning the management of the road, and the great expense attending the summoning of witnesses from distant points, have not thought it necessary or expedient to take the testimony of many witnesses. The persons sworn, however, have been those most likely to know about the matters to which their attention was called.

From the evidence adduced, the minority of your committee have found the following facts to exist: The Detroit and Milwaukee Rail Road Company is entirely and absolutely under the control and management of the Great Western Railway Company of Canada. That it was nominally placed in its hands as security for the payment of money, which careful estimates made, and publicly stated at the time, showed could soon be repaid if the road was properly managed, when the company would revert to its stockholders. That in reality the road was taken by said Great Western Company, and has been managed by it for the purposes simply and solely of making it a feeder for its own road; that under its management no profits have been applied in the manner intended or promised, if any have ever been realized; that said Great Western Company holds all its preferred stock; and even claims for over-charges have been, and if over a certain amount, are usually sent to Hamilton for adjustment, causing so much delay and circumlocution that the evidence of shippers shows that if claims are small, they do not pay for the trouble and time spent in their collection.

That during the last season, when the track was suffering for repairs, the company refitted one of its vessels, hired another to run in its place, and gave an excursion to its Canada managers to Milwaukee and around the lakes, at an expense of many thousands of dollars, no small item of which, according

to common report, was the wine and other liquors furnished for the occasion.

As regards the extravagance with which the road is now managed, the minority of your committee cannot cite a better instance than that its English superintendent, a former employé on the Great Western road, when summoned to appear before your committee, required a special train to bring him over the line of said road. As an offset, however, to this somewhat expensive exclusiveness, its American president, Mr. Trowbridge, a gentleman "to the manor born," but who seems to your committee to have but little authority over, or means of knowledge of the actual management of the company of which he is the nominal president, came to Lansing on an ordinary train. The minority of your committee find, further, that there is general dissatisfaction along the line of the road among persons doing business with it; that the adjustment of claims is uncertain and long delayed. The evidence shows in one case, that when the company was sued for a claimed overcharge, a rule was made requiring the claimant, a resident of Owosso, to pay the freight on goods shipped over the line by him in Detroit, in advance, before the goods would be sent forward. At Ionia indignation meetings were held by the citizens in regard to claimed abuses, and it is in evidence that the public feeling at that place was the primary cause of the building of the Ionia and Lansing Railroad. The minority of your committee have no doubt that much of the general dissatisfaction which prevails, is to another fact in evidence before your committee, that nearly all the employés of the company are foreigners, who know little or nothing of the customs of the country, or of the American manner of doing business, and have no sympathy with their customers. It is claimed by the company that these sort of agents can be obtained cheaper than competent Americans, and the minority of your committee have but little doubt of the fact; but they at the same time submit that the money spent for the extrac-

dinary purposes above referred to, might help materially to employ competent men.

As to the rates for freight and fare for passengers, the evidence shows that the rates on freight are a little higher between stations where there is no competition than those of other roads in the State, while the fare for passengers is from 4 to 10 cents per mile; between Owosso and Corunna, a distance of three miles, the fare, if paid at a station, is 20 cents; if paid on the cars, 30 cents. The officers of the company state that there is no limitation in their charter as to rates for freight or fare, and the company is therefore unlimited in that respect.

It is but justice to the officers of the company to state that those of them examined by your committee, state that no railroad more fully complies with the wishes of its customers than the Detroit and Milwaukee, *in their opinion*; that its employes all treat people well, as far as they know, and all complaints receive due attention, as they believe.

By reference to the report of the committee above referred to on this branch of the inquiry, it will be seen that the committee came to the conclusion that "there would be no friendly feeling exhibited toward the road until the management should be changed, to meet the American idea of railroad management," in which conclusion the minority of your committee concur, with the further statement that from the evidence before them, they can discover no signs of such desirable change.

The minority of your committee, in view of the facts, cannot but regret that no proceedings were instituted by the Attorney General in regard to said corporation, as contemplated by the action and instructions of the last Legislature, founded on the report of said committee, and they cannot but believe that some day this bubble will burst, to the ruin of those who have contracted, and otherwise become connected with it, on the strength of its assumed position and powers.

In view of the conclusions to which they have come, the minority of your committee respectfully submit that in their opinion it is the duty of the Legislature, by resolution or other-

wise, to instruct the Attorney General to institute such proceedings as will test the validity of the act or acts under which the Detroit and Milwaukee railroad company claim to be exercising the powers of a corporate body.

And the minority of your committee further recommend that a committee be appointed by this House, whose duty it shall be to employ counsel, and institute proceedings, and do all things proper and necessary to be done in the premises, to test the validity of said act or acts, provided the Attorney General shall not, within a reasonable time, commence such proceedings.

In conclusion, let me say that with a full conviction of my duty and obligations as a representative, I have endeavored to perform my duties in this case without fear or favor, and I honestly and candidly believe that this report is in accordance with the facts and evidence, and I sincere'y hope and trust that this Honorable body will take such action as is herein recommended.

E. B. WARD,

*Chairman, and Minority of Committee.*

Report accepted and committee discharged.

Mr. Ingersoll moved that 500 copies of the majority and minority reports of the committee, together with the testimony submitted, be printed in pamphlet form for the use of the House; Which motion prevailed.

MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, }  
Lansing, March 12, 1869. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State:

An act to incorporate the city of Corunna;

Also,

An act to revise the charter of the village of Sangatuck;

Also,

An act to organize the county of Alcona;



Also,

An act to amend act No. 397, of the session laws of 1867, entitled "An act to amend act No. 301, of the session laws of 1865, being an act entitled an act to regulate the tolls on plank roads in Bay, Clinton, Gratiot and Saginaw counties;"

Also,

An act to amend act No. 174, of the session laws of 1867, being "An act supplementary to an act to authorize the formation of corporations for mining, smelting or manufacturing iron, copper, mineral coal, silver, or other ores or minerals, and for other manufacturing purposes," approved February 15, 1853.

HENRY P. BALDWIN.

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
Lansing, March 13, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House manuscript bill, entitled

A bill to amend and revise "An act entitled an act to revise the charter of the city of Port Huron," approved February 15, 1859,

And to inform the House that the Senate has amended the same by striking out the word "commissioners," in line 12, of section 46, chapter 7;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Miles moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Hunt,	Mr. Seward,
Avery,	Hurlbut,	Shaw,
Baxter,	Huston,	Sheldon,
Bostwick,	Ingersoll,	Shier,
G. G. Briggs,	L. Kendrick,	Sickels,
R. V. Briggs,	Kingalev,	Smith,
Cameron,	Klein,	Snell,
B. Clark,	McCowen,	Stannard,
Orane,	McKernan,	Stewart,
Crossman,	Mead,	Thompson,
Curry,	Miles,	Walker,
Davis,	Mitchell,	Weier,
Doty,	Murray,	Westover,
Eaton,	Newman,	White,
Elliott,	Osborn,	Wilcox,
Fuller,	Putnam,	J. A. Williams,
Gay,	Riford,	W. D. Williams,
Goodrich,	Riopelle,	Woodard,
Grant,	Romeyn,	Yawkey,
Holt,	Rowlson,	Speaker, 60

## NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 12, 1869. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 141, entitled

A bill to amend section fifteen, of chapter 43, of the revised statutes of 1846, being section 1588 of the compiled laws, relative to gaming;

2. Senate bill No. 143, entitled

A bill to provide for the further geological survey of the State;

## 3. Senate bill No. 159, entitled

A bill to amend sections 1 and 6 of an act entitled "an act to amend sections 1, 3, 4, 5, 6 and 7 of an act entitled 'an act to incorporate the fire department of the city of Detroit,' approved February 14, 1840, and an act amendatory thereto, approved January 14, 1859," approved March 15, 1861;

## 4. Senate bill No. 161, entitled

A bill to designate the place of holding the annual township meeting in the township of Manistee, on the first Monday of April, in the year 1859;

## 5. Senate bill No. 163, entitled

A bill to provide for the issuing, delivering or depositing patents to swamp lands, and to provide for the assessment and taxation of such lands;

## 6. Senate bill No. 164, entitled

A bill to provide for the graduation of the price of swamp lands, and to authorize payment thereon in swamp land scrip;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on State affairs.

The second named bill was read a first and second time by its title, and referred to the committee on geological survey.

The third named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The fourth named bill was read a first and second time by its title, and referred to the committee on towns and counties.

The fifth and sixth named bills were read a first and second time by their titles and referred to the committee on public lands.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 12, 1869. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following concurrent resolution:

*Resolved by the House of Representatives, (the Senate concurring.)* That the acts passed by the Legislature of the State of Michigan, at the session of 1869, shall be so printed as to be bound in two volumes; the first volume to contain all acts of a general nature, joint and concurrent resolutions, and the second volume to contain the charters, and amendments to charters of municipalities, and other acts of a local character;

In the passage of which the Senate has concurred.

Very respectfully,

HENRY S. SLEEPER,  
*Secretary of the Senate.*

The message was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 12, 1869. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 169, entitled

A bill to amend an act entitled "an act to incorporate the city of Pontiac," approved March 15, 1861, and to add two new sections thereto;

2. Senate bill No. 170, entitled

A bill to provide for the payment of the interest of the State debt;

3. Senate bill No. 171, entitled

A bill to detach certain territory from the townships of Manistee and Stronach, in the county of Manistee, and to organize such territory so detached into a township by the name of Filer;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The second named bill was read a first and second time by its title, and referred to the committee on ways and means.

The third named bill was read a first and second time by its title, and referred to the committee on towns and counties.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 12, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 103, entitled

A bill to provide for the inspection of illuminating oils, manufactured from petroleum or coal oils;

2. Senate bill No. 142, entitled

A bill to amend section 3, of chapter 158, of the revised statutes of 1846, being section 5858, of the compiled laws, relative to offenses against chastity, morality and decency;

3. Senate bill No. 160, entitled

A bill to repeal act No. 71, of session laws of 1864, entitled an act to lay out and construct a road, to be known as the White Rock and Bingham State road;

4. Senate bill No. 162, entitled

A bill to authorize the drainage commissioners of the county of Clinton, to reassess certain ditch taxes;

5. Senate bill No. 165, entitled

A bill to protect vineyards in the State of Michigan;

6. Senate bill No. 167, entitled

A bill to repeal act No. 362, session laws of 1867, entitled "An act to provide for the drainage and reclamation of swamp lands, by means of State roads and ditches, from Crawford's marble quarry, to the Duncan, Alpena and Sauble River State road;

Which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first and fifth named bills were read a first and second time by their titles, and referred to the committee on State affairs.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The third named bill was read a first and second time by its title and referred to the committee on public lands.

The fourth named bill was read a first and second time by its title, and referred to the committee on local taxation.

The sixth named bill was read a first and second time by its title, and referred to the committee on public lands.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 12, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 172, entitled

A bill to repeal act No. 334, of the session laws of 1865, entitled "An act to provide for the drainage and reclamation of swamp lands, by means of a State road, to be known as the Courtland and Muskegon river State road;" also act No. 335, of the session laws of 1865, entitled "An act to provide for the drainage and reclamation of swamp lands, by means of the improvement of the Lamont and Zeeland State road, in Ottawa

county;" also, act No. 212, of the session laws of 1865, entitled "An act to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches, from Nunica, in Ottawa county, to Muskegon, in Muskegon county, to be known as the Nunica and Muskegon State road;" also, act No. 80, of the session laws of 1865, entitled "An act to provide for the laying out, opening and establishing of a certain State road, in the township of Shiawassee, in the county of Shiawassee;"

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on public lands.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 13, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to inform the House that the Senate has appointed Senators Norris and Peirce a committee on the part of the Senate, to confer with the committee already appointed by the House, on the disagreement of the two Houses on Senate bill No. 70, entitled

A bill to provide for the payment of the salaries of the State officers for the years 1869 and 1870.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The message was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 12, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following joint resolution:

Senate joint resolution No. 9, entitled

Joint resolution for the relief of Henry Johr, John E. Kitton  
John Canan and Francis Krouse;

Which has passed the Senate, by a majority vote of all the  
Senators elect, and by a vote of two-thirds of all the Senators  
elect, been ordered to take immediate effect, and in which  
the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The joint resolution was read a first and second time by its  
title, and referred to the committee on ways and means.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 12, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following  
joint resolution:

Senate joint resolution No. 20, entitled

Joint resolution for the relief of Elmina Brainerd;

Which has passed the Senate by a majority vote of all the  
Senators elect, and in which the concurrence of the House is  
respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The joint resolution was read a first and second time by its  
title, and referred to the committee on military affairs.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 12, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following  
bill:

House bill No. 145, entitled

A bill to enable any township or city to pledge their credit



to aid in the construction of any railroad heretofore chartered or organized, or that may be hereafter chartered or organized under and by virtue of the laws of the State of Michigan,

And to inform the House that the Senate has amended the same as follows:

1. By striking out all after the word "aid," in line 2, of section 1, to and including the word "organized," in line 3, and inserting in place thereof the words "to any railroad company now chartered, organized, or that may hereafter be organized;" also, by inserting after the word "Michigan," in line 4, the words "in the construction of its road;" also, by striking out after the word "donation," in line 4, the words "to said railroad," and inserting in place thereof the words "with or without conditions."

2. By inserting after the word "cities," in line 7, of section 2, the words "or townships;" also, by striking out in line 8, of same section, the words "a daily or weekly," and inserting in place thereof the word "such;" also, by inserting after the word "newspaper," in the same line, the words "at least once in each week for three successive weeks next previous to the holding of such meeting."

3. By striking out in line 11, of section 6, the words "in relation to the completion of its road through such municipality;" also, in line 13 of same section, by inserting after the word "company," the words "the treasurer first cutting therefrom, canceling and returning to the municipality the past due coupons."

4. By striking out in line 6, of section 7, the words "or the assessor of the city of Detroit," and inserting after the word "county," in the same line, the words "or in case of the city of Detroit, to the assessor thereof;" also, by inserting in line 7, of same section, after the word "county," the words "or such assessor, as the case may be;" also, by striking out in same line, the words "proceed to assess, levy and collect the same," and inserting in place thereof the words "cause the same to be

assessed, levied and collected;" also, by inserting after the word "county," in line 8 of same section the words, "or city."

5. By striking out in line 3, of section 8, the word "upon," and inserting in lieu thereof the word "after."

6. By striking out in section 9, all after the word "such," in line 2, to and including the word "therewith," in line 6, and inserting in place thereof the words "bonds or other evidences of indebtedness shall be delivered to such company, until it shall have completed its road bed and ironed its road with the usual T, or such other rail as may be used by first-class railroads, through the municipality issuing the same, or to the termination thereof, if said road shall terminate therein; nor until said company shall have completed their road, as aforesaid, through such municipality, or from the termination of said road, if it terminates therein, to some connecting line of railroad duly completed and in full operation, or to the initial or starting point of such road. And in case such bonds shall have been issued by a municipality not upon the line of such road, the same shall not be delivered until said road shall be completed and ironed, as aforesaid, through the municipality adjoining thereto."

6. By adding the following to stand as section 10 of the bill:

"Sec. 10. The provisions of this act are hereby extended so as to authorize any incorporated village to vote aid to the extent, in the manner, and subject to the conditions and provisions of this act in relation to cities. In case any township has not voted such aid, any village formed in whole or in part from such township, may vote such aid, and when any such village has voted such aid, it shall not be liable to a further tax for that purpose, by a vote of the township, and it shall be the duty of the president of any village, to call a meeting or meetings of the electors of his village, as provided in section number 2 of this act for cities and townships. The bonds contemplated in this act, if issued by a village, shall be executed by the president and clerk or recorder thereof, as the case may be, as provided for cities and townships, in section number 4 of this

act: *Provided*, That whenever a village has not voted aid to the full extent of the provisions of this act, a further aid by township or village may be granted to an amount equal to the difference between the aid already granted and the full amount permitted by the provisions of this act."

7. By substituting the following for the title of the bill:

"A bill to enable any township, city or village to pledge its aid, by loan or donation, to any railroad company now chartered or organized, or that may hereafter be organized under and by virtue of the laws of the State of Michigan, in the construction of its road;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a majority of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Baxter moved that the House concur in the amendments made to the bill by the Senate;

Pending which motion,

On motion of Mr. Mead,

The bill was laid on the table.

By unanimous consent, the committee on banks and incorporations submitted the following report:

The committee on banks and incorporations, to whom was referred

A bill to revise the charter of the city of Lansing,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

DAN'L L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

THIRD READING OF BILLS.

By unanimous consent, Mr. Baxter offered the following:

*Whereas*, So many members of the House are absent upon leave; therefore

*Resolved*, That for the present, until Tuesday next, upon the final passage of bills, if any member for any reason, desire to oppose or vote against a bill, he shall, as a matter of courtesy, so state before the roll-call commences, so that important bills may be informally passed over if so desired, and not be lost merely for want of members present to act upon the same;

On motion of Mr. Mead,

The resolution was laid on the table.

House bill No. 171, entitled

A bill to amend act No. 266, of the session laws of 1865, entitled "An act to authorize any of the townships and cities of the counties of St. Clair, Lapeer, Genesee and Shiawassee, to pledge their credit in aid of the construction of a railroad from Port Huron, to some point on the line of the Detroit & Milwaukee Railroad, in Shiawassee county,"

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Miles,

The bill was laid on the table.

House bill No. 170, entitled

A bill to authorize any township or city, in either of the counties of Allegan, Van Buren and Barry, to vote aid to railroads, to vote to raise money by tax, and pledge its credit to aid in the construction of railroads in either of said counties,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Hurlbut,

The bill was laid on the table.

## MOTIONS AND RESOLUTIONS.

Mr. Holt moved that the committee of the whole be discharged from the further consideration of Senate bill No. 139, entitled

A bill making appropriations for the Michigan Asylum for the Insane, for the years eighteen hundred and sixty-nine, and eighteen hundred and seventy;

Which motion prevailed.

On motion of Mr. Holt,

The bill was placed on its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. J. A. Williams moved to lay the bill on the table;

Which motion did not prevail.

Mr. Holt moved to reconsider the vote last taken;

Which motion prevailed.

The motion to lay the bill on the table then prevailed.

Mr. Shaw moved to discharge the committee of the whole from the further consideration of House manuscript bill, entitled

A bill to amend section 1 of an act entitled "An act to revise the charter of the city of Adrian," approved March 21st, 1865;

Which motion prevailed.

On motion of Mr. Shaw,

The bill was placed on the order of third reading.

Mr. Woodard moved to discharge the committee of the whole from the further consideration of Senate bill No 105, entitled

A bill to incorporate the village of Petersburg;

Which motion prevailed.

On motion of Mr. Woodard,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,  
Avery,  
Baxter,  
G. G. Briggs,  
R. V. Briggs,  
Cameron,  
B. Clark,  
Crane,  
Crossman,  
Curry,  
Doty,  
Eaton,  
Elliott,  
Fenner,  
Fuller,  
Gay,  
Gifford,  
Goodrich,  
Grant,  
Harris,  
Holt,  
Horton,

Mr. Hunt,  
Hurlbut,  
Ingersoll,  
L. Kendrick,  
Kingsley,  
Klein,  
Mason,  
McCowen,  
McKernan,  
Mead,  
Miles,  
Millington,  
Mitchell,  
Murray,  
Osborn,  
Putnam,  
Riford,  
Riopelle,  
Romeyn,  
Rowison,  
Seward,  
Shaw,

Mr. Sheldon,  
Shier,  
Sickels,  
Smith,  
Snell,  
Stannard,  
Stewart,  
Thompson,  
Vowler,  
Walker,  
Ward,  
Weier,  
Wendell,  
Westover,  
White,  
Wilcox,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker,

65

0

## NAYS.

Pending the announcement of the vote,

Mr. Yawkey moved that Mr. Baxter be excused from voting;  
Which motion prevailed.

The title was agreed to.

On motion of Mr. Woodard,

By a vote of two-thirds of all the members elect, the bill was  
ordered to take immediate effect.

Mr. Riopelle moved to take from the table House manuscript  
bill, entitled

A bill to amend an act entitled "An act to authorize the  
organization of Young Men's Christian Associations," approved  
March 27, 1867, by adding two new sections thereto;

Which motion prevailed.

Mr. Riopelle moved that the bill be referred to the committee  
on the judiciary;

Which motion did not prevail.

On motion of Mr. Riopelle,

The bill was recommitted to the committee on religious and benevolent societies.

Mr. Ingersoll moved to take from the table House bill No. 76, entitled

A bill supplementary to an act entitled "An act to provide for the incorporation of Lodges and Encampments of the Independent Order of Odd Fellows," approved March 15, 1865, and to add two sections thereto;

Which motion prevailed.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Ingersoll moved to amend the bill by striking out recited section 11, and make section 2 read as follows:

"Sec. 2. A new section is hereby added to said act, to which this is supplementary, to stand as section 10, and read as follows:"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Horton,	Mr. Sanford,
Avery,	Hubbard,	Seward,
Baxter,	Hunt,	Shaw,
Bostwick,	Hurlbut,	Sheldon,
G. G. Briggs,	Ingersoll,	Shier,
R. V. Briggs,	L. Kendrick,	Sickels,
Cameron,	Kingsley,	Smith,
B. Clark,	Klein,	Snell,
Crane,	Mason,	Stannard,
Crossman,	McKernan,	Stewart,
Curry,	Mead,	Thompson,
Davis,	Millington,	Vowles,
Doty,	Mitchell,	Walker,
Eaton,	Murray,	Weier,
Elliott,	Newman,	Wendell,
Fenner,	Osborn,	Westover, }
Fuller,	Plimpton,	Wilcox,
Gay,	Putnam,	J. A. Williams,
Gifford,	Riford,	W. D. Williams,
Goodrich,	Riopelle,	Woodard,

Grant,  
Harris,  
Holt,

Romeyn,  
Rowison,

Yawkey,  
Speaker,

67

NAYS.

0

Mr. Ingersoll moved to amend the title by striking out the words "two sections," and inserting the words "one new section," in lieu thereof;

Which motion prevailed.

The title, as amended, was agreed to.

On motion of Mr. Ingersoll,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Riopelle moved to take from the table House manuscript bill, entitled

A bill granting aid to the St. Mary's Hospital, of the city of Detroit;

Which motion prevailed.

On motion of Mr. Riopelle,

The bill was recommitted to the committee on religious and benevolent societies.

Mr. Holt moved to discharge the committee of the whole from the further consideration of House joint resolution No. 25, entitled

Joint resolution in relation to the claim of the State against E. H. Hazelton & Co.;

Which motion prevailed.

On motion of Mr. Holt,

The joint resolution was placed on its immediate passage.

The joint resolution was then read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Horton,

The joint resolution was laid on the table.

Mr. G. G. Briggs moved to discharge the committee of the whole from the further consideration of House bill No. 237, entitled

A bill to amend the charter of the city of Grand Rapids, and



to add three new sections thereto, to stand as sections 43, 44 and 45;

Which motion prevailed.

On motion of Mr. G. G. Briggs,

The bill was placed on its immediate passage.

The bill then was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Hunt,	Mr. Sanford,
Avery,	Hurlbut,	Seward,
Baxter,	Huston,	Shaw,
Boutwick,	Ingersoll,	Sheldon,
G. G. Briggs,	L. Kendrick,	Shier,
R. V. Briggs,	Kingsley,	Sickels,
Cameron,	Klein,	Smith,
B. Clark,	Mason,	Snell,
Crane,	McKernan,	Stannard,
Croesman,	Mead,	Stewart,
Curry,	Miles,	Thompson,
Davis,	Milington,	Vowles,
Doty,	Mitchell,	Walker,
Eaton,	Murray,	Ward,
Elliott,	Newman,	Weier,
Fenner,	Osborn,	Westover,
Fuller,	Plimpton,	White,
Gay,	Putnam,	Wilcox,
Gifford,	Riford,	J. A. Williams,
Goodrich,	Riopelle,	W. D. Williams,
Grant,	Romeya,	Yawkey,
Harris,	Rowlson,	Speaker,
Horton,		

67

## NAYS.

0

Mr. G. G. Briggs moved to amend the title so that it should read:

"A bill to amend 'An act to incorporate the city of Grand Rapids,' approved April 2, 1850, as amended by the several acts amendatory thereof, and to add 3 new sections thereto, to stand as sections 43, 44 and 45;"

The motion prevailed.

The title, as amended, was agreed to.

On motion of Mr. G. G. Briggs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Fuller moved to discharge the committee of the whole from the farther consideration of House bill No. 225, entitled

A bill to attach the west half of the unorganized county of Clare, to the county of Mecosta, for judicial and municipal purposes;

Which motion prevailed.

On motion of Mr. Fuller,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Hunt,	Mr. Rowleson,
Baxter,	Hurlbut,	Sanford,
Bostwick,	Huston,	Seward,
R. V. Briggs,	Ingersoll,	Shaw,
Cameron,	L. Kendrick,	Sheldon,
B. Clark,	Kingsley,	Shier,
Crane,	Klein,	Sickels,
Crossman,	Mason,	Smith,
Curry,	McKernan,	Snell,
Davis,	Mead,	Stewart,
Doty,	Miles,	Thompson,
Eaton,	Millington,	Vowles,
Elliott,	Mitchell,	Walker,
Fenner,	Murray,	Ward,
Fuller,	Newman,	Weier,
Gay,	Osborn,	Westover,
Gifford,	Putnam,	White,
Goodrich,	Riford,	W. D. Williams,
Grant,	Riopelle,	Yawkey,
Harris,	Romeyn,	Speaker,
Horton,		

61

#### NAYS.

0

Mr. Fuller moved to amend the title by inserting after the word "Mecosta," the words "and to the township of Big Rapids;"

Which motion prevailed.

The title as amended, was agreed to.

On motion of Mr. Fuller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Fuller moved to discharge the committee of whole from the further consideration of House bill No. 226, entitled

A bill to organize townships seventeen, eighteen, nineteen and twenty north, of ranges thirteen and fourteen west, in the unorganized county of Lake, by the name of Lake;

Which motion prevailed.

On motion of Mr. Fuller,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Horton,	Mr. Seward,
Avery,	Hunt,	Shaw,
Baxter,	Hurlbut,	Sheldon,
Bostwick,	Ingersoll,	Shier,
R. V. Briggs,	L. Kendrick,	Sickels,
Cameron,	Kingsley,	Smith,
B. Clark,	Klein,	Snell,
Crane,	Mason,	Stannard,
Crossman,	McKernan,	Stewart,
Curry,	Mead,	Thompson,
Davis,	Miles,	Vowles,
Doty,	Millington,	Walker,
Eaton,	Mitchell,	Ward,
Elliott,	Murray,	Weier,
Fenner,	Newman,	Westover,
Fuller,	Osborn,	White,
Gay,	Putnam,	J. A. Williams,
Gifford,	Riford,	W. D. Williams,
Goodrich,	Riopelle,	Woodard,
Grant,	Romeyn,	Yawkey,
Harris,	Rowlson,	Speaker,
Holt,	Sanford,	

65

#### NAYS.

0

Title agreed to.

On motion of Mr. Fuller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Fuller moved to discharge the committee of the whole from the further consideration of House bill No. 227, entitled

A bill to attach townships No. 17, 18, 19 and 20 north, of range No. 12 west, in the unorganized county of Lake, to the township of Chase, and attaching said township of Chase, being townships 17, 18, 19 and 20 north, of ranges 11 and 12 west, in the unorganized county of Lake, to the county of Osceola, when fully organized;

Which motion prevailed.

On motion of Mr. Fuller,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,  
Avery,  
Baxter,  
Bostwick,  
G. G. Briggs,  
R. V. Briggs,  
Cameron,  
B. Clark,  
Crane,  
Crossman,  
Curry,  
Davis,  
Doty,  
Eaton,  
Elliott,  
Fenner,  
Fuller,  
Gay,  
Gifford,  
Goodrich,  
Grant,  
Harria,

Mr. Holt,  
Hunt,  
Huribut,  
Ingersoll,  
L. Kendrick,  
Kingsley,  
Klein,  
Mason,  
McKernan,  
Mead,  
Miller,  
Millington,  
Mitchell,  
Murray,  
Newman,  
Osborn,  
Plimpton,  
Putnam,  
Riford,  
Riopelle,  
Romeyn,  
Rowlson,

Mr. Sanford,  
Seward,  
Shaw,  
Sheldon,  
Shier,  
Sickels,  
Smith,  
Snell,  
Stannard,  
Stewart,  
Thompson,  
Vowles,  
Walker,  
Ward,  
Weier,  
Westover,  
White,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker,

66

#### NAYS.

0

Title agreed to.

On motion of Mr. Fuller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Fuller moved to discharge the committee of the whole from the further consideration of House bill No. 231, entitled

A bill to organize the township of Colfax, in the county of Mecosta;

Which motion prevailed.

On motion of Mr. Fuller,

The bill was placed on its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Fuller moved to amend the bill by adding thereto a new section, to stand as section 5, and to read as follows:

"Section 5. If for any reason the township meeting should not be held at the time herein named, it shall be lawful to hold the same on any day thereafter, by giving at least fifteen days' notice of the time and place of holding such meeting, by posting notices thereof in four of the most public places in said township, which the said board of inspectors are hereby authorized and required to do;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Horton,	Mr. Sanford,
Avery,	Hunt,	Seward,
Baxter,	Hurlbut,	Shaw,
Bostwick,	Ingersoll,	Sheldon,
G. G. Briggs,	L. Kendrick,	Shier,
R. V. Briggs,	Kingsley,	Sickels,
Brownell,	Klein,	Smith,
Cameron,	Mason,	Snell,
B. Clark,	McKernan,	Stannard,
Crane,	Mead,	Stewart,
Crossman,	Miles,	Thompson,
Curry,	Millington,	Vowles,
Davis,	Mitchell,	Walker,

Doty,  
Eaton,  
Fenner,  
Fuller,  
Gay,  
Gifford,  
Goodrich,  
Grant,  
Harris,  
Holt,

Murray,  
Newman,  
Osborn,  
Plimpton,  
Putnam,  
Riford,  
Riopelle,  
Romeyn,  
Rowlson,

Ward,  
Weier,  
Westover,  
White,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker,

67

0

## NAYS.

Title agreed to.

On motion of Mr. Fuller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. G. G. Briggs,

The House took a recess until this afternoon at two o'clock.

## AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

## GENERAL ORDER.

On motion of Mr. Sanford,

The House went into committee of the whole, on the general order,

Mr. Mead in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 179, entitled

A bill to incorporate the village of Lisbon, in Kent and Ot-tawa counties;

2. House bill No. 180, entitled

A bill to incorporate the village of Portland, in Ionia county;

## 3. House bill No. 182, entitled

A bill to attach certain unorganized territory to the county of Iosco;

## 4. House bill No. 191, entitled

A bill to amend an act entitled "an act to amend sections 11 and 127, of chapter 117, of the compiled laws, relative to security for costs in justices' courts," approved March 20, 1869;

## 5. House bill No. 194, entitled

A bill to change to change the name of Emmet Robert Skinner to Robert Emmet Skinner;

## 6. House bill No. 200, entitled

A bill to reorganize the township of Caledonia, in the county of Shiawassee;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills:

## 7. House bill No. 181, entitled

A bill to amend section 2 of an act entitled "An act to incorporate the grand lodge of free and accepted masons of the State of Michigan, approved April 2, 1849;

## 8. House bill No. 183, entitled

A bill to authorize the township of Cambridge, Lenawee county, to raise by tax, certain moneys for the relief of Andrew Ayres, late treasurer of said town;

## 9. House bill No. 189, entitled

A bill to amend section 2, of act No. 231, of the session laws of 1859, being an act to abolish the fees of clerks in the supreme court, approved Feb. 15, 1859;

## 10. Senate bill No. 71, entitled

A bill to amend sections 12, 16 and 26, of chapter 123, of the revised statutes of 1846, of forcible entries and detainers, being sections 4985, 4989 and 4999, of the compiled laws, and to repeal act No. 94, of the session laws of 1867, approved March 25, 1867;

11. House bill No. 190, entitled

A bill to amend sections 12, 13, 14 and 15, of chapter 154, of the revised statutes of 1846, being sections 5756, 5757, 5758 and 5759, of chapter 181, of the compiled laws, entitled "of offenses against property;"

12. House bill No. 192, entitled

A bill to change the name of the plat and village of Crawville, in the county of Muskegon, to Fruitport;

13. House bill No. 193, entitled

A bill to change the name of James R. Fancher to James R. Witmar;

14. House bill No. 195, entitled

A bill to change the name of Laura Montague to Laura Scott, and to constitute her heir-at-law of Jay Ward Scott and Jerusha Warner Scott;

15. House bill No. 199, entitled

A bill to restore section 36, of township I north, of range 12 east, to the township of Erin, in the county of Macomb, and to repeal act No. 172, of the session laws of 1865, approved March 14, 1865;

16. Senate bill No. 46, entitled

A bill to set off that portion of the township of Richland, in the county of Kalamazoo, situate east of Gull Lake, and attach the same to the township of Ross;

17. Senate bill No. 39, entitled

A bill to amend act No. 129, of the session laws of 1867, approved March 27, 1867, entitled "An act rendering persons disqualified for sitting as jurors in certain cases," by adding two new sections thereto, to stand as sections 3 and 4;

18. House bill No. 202, entitled

A bill to amend section 4581, of the compiled laws, being section 28, of chapter 134, relating to the action of ejectment;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.



The committee of the whole have also had under consideration the following entitled bill:

19. House bill No. 198, entitled

A bill to provide for the election by the people, of county superintendents of the poor, and to repeal act No. 30, of the session laws of 1863, and act No. 207, of the session laws of 1865, and all other acts and parts of acts inconsistent with the provisions of this act;

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

E. F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Riford,

The amendments made to the first six named bills were concurred in, and the bills were placed on the order of third reading.

The seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth and eighteenth named bills were placed on the order of third reading.

On motion of Mr. Baxter,

The action of the committee in striking out all after the enacting clause of the nineteenth named bill was concurred in, and the enacting clause was laid on the table.

Mr. W. D. Williams, by unanimous consent, offered the following;

*Resolved*, That the Sergeant-at-Arms be directed to bar the House against one Daniel Burns, convicted of contempt by this House, and that said Daniel Burns be denied the privilege of entrance into this Hall;

Which was adopted.

Mr. Ingersoll asked and obtained leave of absence for himself, until Monday noon.

Mr. Fuller asked and obtained leave of absence for Mr. Westover, until Tuesday noon.

On motion of Mr. Thompson,

The House adjourned until Monday morning at 9 o'clock.

*Lansing, Monday, March 15, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Straub.

Roll called: quorum present.

Absent without leave: Messrs. Crossman, Eaton, Hubbard, Lovell, McCowen, Romeyn, Smith and Wagner.

Mr. Avery asked and obtained leave of absence for Mr. Smith, for the day.

Mr. Walker asked and obtained leave of absence for Mr. Lovell, for the day.

Mr. Harris asked and obtained leave of absence for Mr. Romeyn, for the day.

Mr. B. Clark asked and obtained leave of absence for Mr. Wagner for the day.

#### PRESENTATION OF PETITIONS.

By Mr. Mead: petition of John S. Newberry, E. W. Meddaugh, H. B. Brown and 14 others, citizens of Detroit, praying that the Agricultural College may be united with the University of Michigan.

Referred to the committee on the Agricultural College.

By Mr. G. G. Briggs: memorial of Louis Campau, Daniel McNaughton and 130 others, citizens of Grand Rapids, against the action taken by the Grand Rapids and Indiana Railroad Company, in its entrance upon and occupation of Almy street in said city.

Referred to the committee on internal improvements.

By Mr. Riford: petition of Hon. A. H. Morrison, Geo. S. Clapp and 45 others, tax-payers of Berrien county, asking that a law be passed equalizing bounties paid to soldiers who enlisted during the late war;

Also: petition of Joseph Riford and 93 others, for the same purpose.

Referred to the committee on military affairs.

By Mr. Riford: petition of Martin Green, Sterne Bronson and 51 others, citizens and tax-payers of the village of Benton Har-

bor, asking for the re-incorporation of said village, and that said charter shall legalize the action of the board of said village.

Referred to the committee on banks and incorporations.

REPORTS OF STANDING COMMITTEES.

By the committee on geological survey:

The committee on geological survey, to whom was referred Senate bill No. 143, entitled

A bill to provide for the further geological survey of the State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. Q. McKERNAN, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee off the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill making an appropriation to complete the south end of the Ionia and Houghton Lake State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman*.

Report accepted and committee discharged.

On motion of Mr. McKernan,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to repeal act No. 362, of the session laws of 1867, entitled "An act to provide for the drainage and reclamation of swamp lands, by means of State roads and ditches from Crawford's marble quarry, to the Duncan, Alpena and Sauble river State road,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands beg leave to submit the following supplementary report, calling attention to an error in their former report, of the condition of the swamp land grant:

The error was made in deducting the amount expended for various purposes, as shown in the grand total of table five, in Mr. Curtis' report, from the amount of swamp lands granted to the State in the Lower Peninsula. Our report showed the difference to be 1,219,941, when it should have been 857,222 in round numbers, a *slight* difference of some 362,000 acres less. This error was carried through the whole report, and of course must be deducted from the 1,118,708 acres, that said report seemed to have on hand, which would reduce the amount to 756,708 acres.

Since making our former report, the chairman of your committee has been informed by Mr. Curtis, that he (Mr. Curtis) did not include in his grand total, in table five of his report, the \$185,900 in round numbers, paid into the primary school fund, which must also be deducted from the foregoing amount on hand. On the other hand, if certain acts appropriating

swamp lands are repealed, that have been recommended to be repealed by Mr. Curtis, there will be some 134,000 acres returned to the grant.

Your committee deemed it advisable to make this report, as they do not desire to be responsible, should large appropriations be made, and exceeding the fund on hand unappropriated.

The chairman of your committee deems it but just to the other members of said committee, to say the *slight* error above mentioned, was his own, and that no other person is responsible for the same. He also says, that in drawing said report he did not intend in any manner to censure Mr. Curtis, the swamp land-State road commissioner, in any respect whatever. All of which is respectfully submitted.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend an act entitled "An act to establish a judicial circuit in the Upper Peninsula," approved March 19, 1863, by adding a new section thereto, requiring the judge of said circuit to be a resident thereof,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. H. G. Williams,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

The Sergeant-at-Arms announced the Private Secretary of the Governor, who transmitted to the House a message from His Excellency, the Governor, in writing.

By the committee on judiciary:

The committee on judiciary, to whom was referred Senate bill No. 134, entitled

A bill to authorize and require the Commissioner of the Land office to furnish certified copies of field notes, maps, records and other papers pertaining to land titles, and to declare the effect thereof, as evidence in suits at law and equity,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

Joint resolution proposing an amendment to section 9, article 10, of the constitution of this State, relative to allowing the boards of supervisors of counties to raise by tax two thousand dollars a year, for the purpose of constructing or repairing public buildings, highways or bridges,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

Mr. J. A. Williams moved that the joint resolution be laid on the table;

Which motion did not prevail.

On motion of Mr. R. V. Briggs,

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 3, of chapter 149, of the compiled laws, and section 25 of the same chapter, as substituted for sections 25 and 26, by act No. 160, of the laws of 1861,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 98, entitled

A bill to amend act No. 153, of the session laws of 1867, being "An act to provide for holding the circuit courts in case of death, resignation, removal, absence or inability of the circuit judges,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to provide for the protection of shade and ornamental trees along the highways in the county of Berrien,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it be printed

A bill to authorize and require the Commissioner of the Land office to furnish certified copies of field notes, maps, records and other papers pertaining to land titles, and to declare the effect thereof, as evidence in suits at law and equity,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

Joint resolution proposing an amendment to section 9, article 10, of the constitution of this State, relative to allowing the boards of supervisors of counties to raise by tax two thousand dollars a year, for the purpose of constructing or repairing public buildings, highways or bridges,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman*.

Report accepted and committee discharged.

Mr. J. A. Williams moved that the joint resolution be laid on the table;

Which motion did not prevail.

On motion of Mr. R. V. Briggs,

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred



A bill to amend section 3, of chapter 149, of the compiled laws, and section 25 of the same chapter, as substituted for sections 25 and 26, by act No. 160, of the laws of 1861,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 98, entitled

A bill to amend act No. 153, of the session laws of 1867, being "An act to provide for holding the circuit courts in case of death, resignation, removal, absence or inability of the circuit judges,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to provide for the protection of shade and ornamental trees along the highways in the county of Berrien,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it be printed

and placed on the general order, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to repeal act No. 227, of 1863, and being an act to amend sections 1, 2, 4, 5, 6 and 9, of chapter 139, of the revised statutes of 1846, being 5350, 5351, 5353, 5354, 5355 and 5358, of chapter 165, of the compiled laws of 1857, relative to limitation of actions to real estate,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baxter,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill for the punishment of offenses in certain cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, be printed and placed on the general order, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Stewart,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 127, of chapter 117, of the compiled laws, relative to costs in justices' courts in civil cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baxter,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was recommitted House bill No. 156, entitled

A bill to amend section 2871, of the compiled laws, relative to settlement of estates of deceased persons,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

On motion of Mr. Baxter,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to detach the county of Emmet from the 13th judicial circuit, and to attach the same to the 11th judicial circuit,

Respectfully report that they have had the same under con-

sideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, }  
Lansing, March 13, 1869. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State:

An act to fix the time for holding the first annual election in the village of Saranac, in Ionia county, being an act supplementary to an "act to incorporate the village of Saranac, in Ionia county," approved March 4th, A. D. 1869;

Also,

An act to organize the township of Mayfield, in the county of Lapeer;

Also,

An act to authorize the township of Bennington, in the county of Shiawassee, to raise by tax a certain sum of money for the relief of George W. Hunt;

Also,

An act to amend section three of an act to authorize the city of Saginaw to raise money to construct a county jail for the county of Saginaw, approved January 30th, 1869;

Also,

An act to change the name of the plat and village of Millville, in the county of Muskegon, to Bluffton;

Also,

An act to legalize the special township meeting of the town-

ship of Saugatuck, in the county of Allegan, held in said township January 22, A. D. 1869;

Also,

An act to organize the township of Monitor, in Bay county;

Also,

An act to legalize the action of the school inspectors of the townships of Albion and Sheridan, in the county of Calhoun and State of Michigan, in the consolidation of certain school districts therein;

Also,

An act to extend the time for the collection of certain drain taxes in the township of Zeeland, in the county of Ottawa;

Also,

An act to amend act No. 246, of the session laws of 1867, being an act to amend an act entitled "An act to connect the Duncan, Alpena and Sauble river State road, with the East Saginaw and Sauble river State road," by adding one new section thereto, to stand as section five;

Also,

An act to amend section 43 of an act entitled "An act to provide for the incorporation of railroad companies," approved February 12, 1855, as amended by an act amendatory thereof, approved March 27, 1867;

Also,

Joint resolution asking the General Government for a grant of land to aid in the construction of the Mineral Range railroad;

Also,

Joint resolution asking Congress for an appropriation of money to improve the harbor at the mouth of the Cheboygan river, on the Straits of Mackinaw;

Also,

Joint resolution granting block No. 137, city of Lansing, to the city of Lansing, for a public park.

HENRY P. BALDWIN.

The message was laid on the table.

## MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, March 13, 1869. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 144, entitled

A bill to amend an act entitled "an act to incorporate the city of Wyandotte," approved March 5th, 1867, being act number two hundred and ninety-seven, of the session laws of 1867;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 13, 1869. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to inform the House that the Senate has appointed Senators Pearl and Adair a committee on the part of the Senate to confer with the committee already appointed by the House on the disagreement of the two Houses on House joint resolution No. 10, entitled

Joint resolution asking Congress for an appropriation of money to improve Portage lake and river, in Houghton county.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The message was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 13, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House bill No. 107, entitled

A bill to authorize the board of supervisors of the county of Kalamazoo, to raise by tax upon the real and personal property within the county of Kalamazoo, not exceeding the sum of two thousand dollars, for the purpose of providing a homestead for the widow and children of Col. Benjamin F. Orcutt, deceased;

2. House bill No. 151, entitled

A bill to legalize the action of the electors of the township of Romulus, in the county of Wayne, in their having voted to refund moneys paid or advanced by them for the payment of bounties to volunteers, who enlisted to fill the quota of said township under the last call of the President;

In the passage of which the Senate has concurred, by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 13, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 157, entitled

A bill to re-incorporate the village of Fenton;

2. Senate bill No. 158, entitled

A bill to provide for the drainage and reclamation of swamp lands, by means of the completion and extension of the Newaygo and Dayton State road;

3. Senate bill No. 173, entitled

A bill to revise the charter of the village of Wayland;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and

On motion of Mr. Horton,

The rules were suspended, and the bill was placed on the order of third reading.

The second named bill was read a first and second time by its title, and referred to the committee on public lands.

The third named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 13, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 47, entitled

A bill to collect, compile and reprint the general laws of this State;

2. Senate bill No. 109, entitled

A bill to amend section two of an act entitled "An act to protect the title of the owners of floating logs and lumber," approved March 27, 1867, and to add a section thereto, to stand as section six;

3. Senate bill No. 168, entitled

A bill to repeal act No. 30, of the session laws of 1864, entitled "An act to provide for the drainage and reclamation of



swamp lands, by means of State roads and ditches, from Muir, in Ionia county, to the north line of Isabella county;

Which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on lumber interests.

The third named bill was read a first and second time by its title, and referred to the committee on public lands.

#### THIRD READING OF BILLS.

On motion of Mr. Mead,

The order of third reading of bills was passed for the day.

#### MOTIONS AND RESOLUTIONS.

Mr. Millington offered the following:

*Resolved*, That hereafter during this session, the time for delivering each argument or explanation by a member, be limited to a period not exceeding five minutes, unless by unanimous consent of all the members present at time of discussing the same;

Which was adopted.

Mr. R. V. Briggs moved to take from the table House manuscript bill, entitled

A bill to amend "an act to amend sections 11 and 127, of chapter 117, of the compiled laws, relative to security for costs in justices' courts," as amended by act No. 186, of the session laws of 1863, approved March 20, 1863;

Which motion prevailed.

On motion of Mr. R. V. Briggs,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Shier moved to take from the table House bill No. 198, entitled

A bill to provide for the election, by the people, of county superintendents of the poor, and to repeal act No. 80, of the session laws of 1863, and act No. 207, of the session laws of 1865, and all other acts and parts of acts inconsistent with the provisions of this act;

Which motion prevailed.

On motion of Mr. Shier,

The bill was referred to the committee on towns and counties.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, on the 13th of March, 1869;

A bill to fix the time for holding the first annual election in the village of Saranac, in Ionia county, being an act supplementary to an "act to incorporate the village of Saranac, in Ionia county," approved March 4th, A. D. 1869;

Also,

A bill to amend section three of an act to authorize the city of Saginaw to raise money to construct a county jail for the county of Saginaw, approved January 30th, 1869;

Also,

A bill to authorize the township of Bennington, in the county of Shiawassee, to raise by tax a certain sum of money for the relief of George W. Hunt;

Also,

A bill to organize the township of Mayfield, in the county of Lapeer;

Also,

Joint resolution for the relief of Charles Chandler, administrator of the estate of James McDonald, deceased;

Also,

Joint resolution asking the Congress of the United States to

make an appropriation for the completion of the harbor at the mouth of the Ontonagan river.

E. M. MASON, *Chairman*.

Report accepted.

GENERAL ORDER.

On motion of Mr. Horton,

The House went into committee of the whole, on the general order,

Mr. W. D. Williams in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 203, entitled

A bill to amend chapter 99 of the compiled laws, being chapter 75, of the revised statutes of 1846;

2. House bill No. 204, entitled

A bill to authorize the township of Watervliet to refund certain moneys advanced by George Parsons in paying bounties, and to levy a tax therefor;

3. House bill No. 207, entitled

A bill to amend act No. 180, of the session laws of 1863, entitled "An act to provide for laying out, establishing and improving a road from Muskegon Lake, to the north line of Mason county, and to appropriate swamp lands therefor," approved March 20, 1863; also, act No. 392, of the session laws of 1867, approved March 22, 1867, amendatory thereof;

4. Senate bill No. 79, entitled

A bill to provide for taxing the property of Masonic and Odd Fellows' lodges, and other benevolent societies;

5. Senate bill No. 77, entitled

A bill to amend section 8 of an act to provide for the incorporation of Masonic lodges, as amended by an act approved March 27, 1867;

6. House bill No. 220, entitled

A bill to organize the township of Greenbush, in the county of Alcona;

7. House bill No. 221, entitled

A bill to amend section 1, of act No. 153, of the session laws of 1861, being an act entitled an act to incorporate the public schools of the city of Adrian, approved March 13, 1861;

8. House bill No. 224, entitled

A bill to change the name of the Agawam Mining Company;

9. Senate bill No. 94, entitled

A bill making appropriation for the State Normal School;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following bills:

10. House bill No. 210, entitled

A bill to amend section 2, of act number 213, of the session laws of 1865, entitled "An act to lay out and establish a State road in the Upper Peninsula, to be known as the Winona and Franklip State road, and to provide for the construction of the same," approved March 16, 1865;

11. House bill No. 214, entitled

A bill to amend sections 1687 of the compiled laws, requiring boards of supervisors to raise an annual tax for the benefit of county agricultural societies;

12. House bill No. 215, entitled

A bill to amend act No. 76, of the session laws of 1867, entitled "an act for the appointment of a commissioner, to be known as the Swamp Land State Road Commissioner," approved March 21, 1867, by adding six new sections thereto, to stand as sections 14, 15, 16, 17, 18 and 19;

13. House bill No. 218, entitled

A bill to attach the unorganized counties of Otsego, Crawford, and a portion of Kalkaska, to the townships of South Arm, Torch Lake, Helena and Rapid River;

**14. Senate bill No. 64, entitled**

A bill to provide for free schools, and to amend sections 2264, 2267, 2272, 2275, 2301, 2323, 2350 and 2384, of the compiled laws, being sections 21, 24, 29, 32, 58, 80 and 107, of chapter 78, of the revised statutes of 1846, and section 1 of an act entitled an act to amend the revised statutes, relative to the support of primary schools and the custody of the township libraries, approved April 2, 1850, and to repeal sections 2276, 2277, 2278, 2283, 2285, 2286, 2287, 2288, 2289, 2290 and 2381, of the compiled laws;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills:

**15. House bill No. 206, entitled**

A bill to amend sections 2 and 3, of act number 115, of session laws of 1861, entitled "An act to amend chapter 23 of the compiled laws, relative to obstructions and encroachments of highways;"

Have directed their chairman to report the same back to the House with the recommendation that it be recommitted to the committee on roads and bridges.

The committee of the whole have also had under consideration the following entitled bill:

**16. House bill No. 213, entitled**

A bill to prevent the shooting of persons in sport;

Have directed their chairman to report the same back to the House, with the recommendation that it be referred to the committee on the judiciary.

The committee of the whole have also had under consideration the following entitled bill:

**17. House bill No. 209, entitled**

A bill to repeal act No. 229, of the session laws of 1859, entitled "An act to provide for the settlement and drainage of

the swamp lands by actual settlers," approved February 15, 1859, and the acts amendatory thereof;

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

The committee of the whole have also had under consideration the following entitled joint resolution:

House joint resolution No. 23, entitled

Joint resolution relating to navigation between the United States and Canada;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

WM. D. WILLIAMS, *Chairman*.

Report accepted and committee discharged.

The first nine named bills were placed on the order of third reading.

On motion of Mr. Cameron,

The House concurred in the amendment made to the tenth, eleventh, twelfth and thirteenth named bills by the committee, and the bills were placed on the order of third reading.

On motion of Mr. Holt,

The fourteenth named bill was recommitted to the committee on education.

On motion of Mr. Crane,

The House concurred in the recommendation of the committee relative to the fifteenth named bill, and the bill was recommitted to the committee on roads and bridges.

On motion of Mr. R. V. Briggs,

The House concurred in the recommendation of the committee relative to the sixteenth named bill, and the bill was referred to the committee on the judiciary.

On motion of Mr. Baxter,

The action of the committee in striking out all after the enacting clause of the seventeenth named bill was concurred in, and the enacting clause was laid on the table.

The joint resolution was placed on the order of third reading.  
On motion of Mr. G. G. Briggs,  
The House took a recess until 2 o'clock this afternoon.

---

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Ward asked and obtained leave of absence for Mr. Gifford, for the afternoon.

MESSAGES FROM THE SENATE.

By unanimous consent, the Speaker announced the following:

SENATE CHAMBER, }  
*Lansing, March 13, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 156, entitled

A bill to provide for the draining of swamps, marshes and other low lands;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on drainage.

GENERAL ORDER.

On motion of Mr. Wilcox,

The House went into committee of the whole, on the general order.

Mr. Holt in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 230, entitled

A bill to prevent the obstruction of the free passage of fish along the streams and inland rivers, by the interposition of fish weirs, weir dams or weir nets;

2. House bill No. 232, entitled

A bill to amend an act entitled an act to authorize fractional school district No. 8, of the townships of Antwerp and Porter, in the county of Van Buren, to organize a graded school, and to pledge the credit of said school district for the purpose of building a union school-house;

3. House bill No. 233, entitled

A bill to authorize the school board of fractional school district No. 1, of the townships of Paw Paw and Antwerp, to convey real estate;

4. House bill No. 234, entitled

A bill to amend section 1, of act No. 286, of the session laws of 1867, entitled "an act to authorize dissection in certain cases, for the advancement of science;"

5. Senate bill No. 83, entitled

A bill to amend section 7 of act No. 160, session laws of 1865, entitled "an act to incorporate the village of Otsego," approved March 15th, 1865;

6. Senate bill No. 41, entitled

A bill to provide for the construction of a road from Port Austin, in Huron county, to Unionville, in Tuscola county;

7. House bill No. 231, entitled

A bill to legalize the action of the school inspectors of the township of Marathon, in Lapeer county, in organizing school district No. 6, in said township of Marathon;

8. House bill No. 243, entitled

A bill to amend section 4342, of the compiled laws, as the same stands amended by act approved March 11th, A. D. 1861;



9. Senate bill No. 121, entitled

A bill to repeal act No. 186, of the session laws of 1861, entitled "An act to amend act number two hundred, of the session laws of eighteen hundred and fifty-nine, being an act to encourage the manufacture of salt in the State of Michigan," approved Feb. 15, 1859; approved March 15, 1861;

10. Senate bill No. 29, entitled

A bill to declare and establish the practice in charging or instructing juries, and in settling the law in cases tried in circuit courts;

11. Senate bill No. 126, entitled

A bill to authorize school district number three, fractional, of the township of Girard, in the county of Branch, to issue bonds for the purpose of building a school house;

12. Senate bill No. 111, entitled

A bill to amend an act entitled "An act to incorporate the village of Whitehall," approved March 19th, 1867;

13. Senate bill No. 95, entitled

A bill to provide for the establishment of polytechnic associations;

14. Senate bill No. 86, entitled

A bill to amend section 15, of an act entitled "an act to incorporate the village of Farmington," approved March 25, 1867;

15. House bill No. 244, entitled

A bill to amend an act entitled "an act to amend an act entitled an act to incorporate the village of Tecumseh," being act No. 84, of the session laws of 1859, approved February 9, 1859;

16. Senate bill No. 97, entitled

A bill to provide for the safe keeping of public libraries;

17. Senate bill No. 115, entitled

A bill to protect females from insult;

18. Senate bill No. 72, entitled

A bill to prevent the destruction of muskrats and muskrat houses, in the marshes along the shore of Lakes Erie, St. Clair, Huron and Michigan;

19. Senate bill No. 110, entitled

A bill to amend an act entitled "An act to revise the charter of the village of Hudson," being act No. 266, of the session laws of 1867, approved February 27, 1867;

20. Senate bill No. 104, entitled

A bill to amend section 51 of an act entitled "An act to incorporate the city of Battle Creek," approved February 3, 1859;

21. Senate bill No. 85, entitled

A bill to amend section 15, of act No. 232, of the session laws of 1863, being an act to provide for the incorporation of water-power companies, approved March 20, 1863;

22. Senate bill No. 87, entitled

A bill for the incorporation of societies of marksmen;

23. Senate bill No. 99, entitled

A bill to amend sections 16 and 35, of an act to incorporate the city of Monroe, approved March 22, 1837;

24. Senate bill No. 92, entitled

A bill in relation to life insurance companies transacting business within this State;

25. Senate bill No. 145, entitled

A bill requiring corporations doing business in this State, whose principal offices are out of the State, to keep a list of their stockholders and a transfer book within this State;

26. Senate bill No. 108, entitled

A bill to provide for the payment of the salaries of the military officers for the years 1869 and 1870;

27. Senate bill No. 120, entitled

A bill relative to an attorney or solicitor's fees, stipulated to be paid in a real estate mortgage;

28. Senate bill No. 151, entitled

A bill to amend section 86, of chapter 93, of the revised statutes of 1846, being section 3738 of the compiled laws;

29. Senate bill No. 88, entitled

A bill to amend act No. 233, of the session laws of 1861, being an act entitled "An act to facilitate the commencement of suits against joint defendants residing in several counties," approved March 16, 1861;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills:

30. House bill No. 228, entitled

A bill to lay out and establish a State swamp land road from the north-east corner of township 3 N., R. 16 W., in Allegan county, east along the town lines of Manlius, Fillmore, Overisel and Heath, in said county, to the Allegan and Holland road running from Allegan, in Allegan county, to Holland, in Ottawa county;

31. House bill No. 229, entitled

A bill to amend act No. 350 of the session laws of 1865, entitled "An act to protect fish and preserve the fisheries of this State," approved March 21, 1865, by adding two sections, to stand as sections 10 and 11 of said act;

32. House bill No. 236, entitled

A bill to authorize conductors of railroad corporations, while in charge of passenger trains, to perform the duties of special policemen, for the arrest of criminals and other offenders;

33. Senate bill No. 112, entitled

A bill to amend an act entitled "An act to authorize the formation of gas light companies," approved February 12, 1855;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill:

34. House bill No. 285, entitled

A bill to amend sections 10 and 20, and to add section 21 to an act entitled "An act to organize union school district of the city of Saginaw," approved March 18, 1865;

Have directed their chairman to report the same back to the House, with the recommendation that it be recommitted to the committee on education.

The committee of the whole have also had under consideration the following entitled bill:

35. House bill No. 238, entitled

A bill to amend section 3, of act 845, of the session laws of 1865, the same being an act to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches, in Tuscola and Bay counties;

Have directed their chairman to report the same back to the House with the recommendation that it be laid on the table.

The committee of the whole have also had under consideration, the following entitled bill:

36. Senate bill No. 90, entitled

A bill to amend "an act to provide for the registration of births, marriages and deaths, being act No. 194, session laws of 1867," approved March 29, 1867;

Have directed their chairman to report the same back to the House, with the recommendation that it be recommitted to the committee on State affairs.

The committee of the whole have also had under consideration the following entitled joint resolutions:

1. House joint resolution No. 24, entitled

Joint resolution to authorize the Governor to convey certain State lands to Henry A. Shaw, of Eaton county, as the grantee of Daniel J. Spencer;

2. House joint resolution No. 23, entitled

Joint resolution relative to the distribution of the laws, journals, documents and joint documents of the session of the Legislature of the year 1869;

3. Senate joint resolution No. 10, entitled

Joint resolution making an appropriation of one thousand dollars, for engrossing a roll of honor on parchment, and for binding the same for State Library and the original for Adjutant General's office;

4. Senate joint resolution No. 7, entitled

Joint resolution assenting to the transfer of title from the State of Pennsylvania to the United States, of the soldiers' National cemetery, at Gettysburgh, Pennsylvania;

## 5. Senate joint resolution No. 15, entitled

Joint resolution to authorize the Board of State Auditors to audit and allow the account of Henry S. Clubb, for reporting for the Supreme Court of the State of Michigan, the evidence in the case of the State of Michigan *ex rel.* Frank H. White vs. Hermanns Doesburg;

## 6. Senate joint resolution No. 11, entitled

Joint resolution to regulate the making up of reports of claims examined and adjusted by the board of State auditors;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled joint resolution:

## 7. Senate joint resolution No. 8, entitled

Joint resolution for the relief of Lient. John Cordon;

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The first twenty-nine named bills were placed on the order of third reading.

On motion of Mr. Baxter,

The House concurred in the amendments made to the thirtieth, thirty-first, thirty-second and thirty-third named bills by the committee, and the bills were placed on the order of third reading.

On motion of Mr. G. G. Briggs,

The House concurred in the recommendation of the committee relative to the thirty-fourth named bill, and the bill was re-committed to the committee on education.

On motion of Mr. Brownell,

The House concurred in the recommendation of the committee relative to the thirty-fifth named bill, and the bill was laid on the table.

On motion of Mr. Ingersoll,

The House concurred in the recommendation of the committee relative to the thirty-sixth named bill, and the bill was re-committed to the committee on State affairs.

The first six named joint resolutions were placed on the order of third reading.

On motion of Mr. Yawkey,

The action of the committee in striking out all after the enacting clause of the seventh named joint resolution was concurred in, and the enacting clause was laid on the table.

MESSAGES FROM THE SENATE

By unanimous consent, the Speaker announced the following:

SENATE CHAMBER, }  
Lansing, March 15, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to request the House to return to the Senate

Senate bill No. 47, entitled

A bill to collect, compile and reprint the general laws of this State.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

By unanimous consent the committee on the judiciary submitted the following report:

The committee on the judiciary, to whom was referred

Senate bill No. 47, entitled

A bill to collect, compile and reprint the general laws of this State,

Respectfully report that without taking any action on the same, they have directed me to report the same back to the House.

E. F. MEAD, *Chairman.*

On motion of Mr. Baxter,

The Clerk was instructed to return the bill to the Senate.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 15, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 137, entitled

A bill for the relief of school district No. 4, of Ypsilanti, Michigan;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on local taxation.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March, 15, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House manuscript bill, entitled

A bill to authorize the city of Grand Haven to aid the Detroit and Milwaukee Railroad company to extend the line of their road across Grand river, from Perrysburg, into the city of Grand Haven from the west to the east side of Grand river,

And to inform the House that the Senate has amended the same by inserting after the word "city," in line 6, of section 1, the words "present and voting;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Blake moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Harris,	Mr. Riopelle,
Avery,	Holt,	Sanford,
Baxter,	Hubbard,	Shaw,
Beall,	Hunt,	Sheldon,
Blake,	Huston,	Shier,
Bostwick,	Ingersoll,	Snell,
G. G. Briggs,	L. Kendrick,	Stannard,
Brownell,	Kingsley,	Stewart,
Cameron,	Klein,	Thompeon,
B. Clark,	McCowen,	Vowles,
Crane,	McKernan,	Walker,
Curry,	Mead,	Ward,
Davis,	Millington,	Wendell,
Doty,	Mitchell,	Wilcox,
Dusseau,	Murray,	H. G. Williams,
Eck,	Newman,	J. A. Williams,
Fenner,	Norton,	W. D. Williams,
Fuller,	Osborn,	Woodard,
Gay,	Purcell,	Yawkey,
Goodrich,	Putnam,	Speaker,
Grant,		

61

## NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 15, 1869. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill:

Senate manuscript bill, entitled

A bill to provide for dividing the sixth judicial circuit, and creating the sixteenth judicial circuit;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators



elect, been ordered to take immediate effect and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

On motion of Mr. Riopelle,

The House adjourned until to-morrow morning at 9 o'clock

---

*Lansing, Tuesday, March 16, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Roll called: quorum present.

Absent without leave: Messrs. Crossman, Elliott, Mason and Sanford.

Mr. Grant asked and obtained leave of absence for Mr. Elliott, for an indefinite time, on account of sickness.

Mr. Curry asked and obtained leave of absence for Mr. Mason, until Thursday morning.

#### PRESENTATION OF PETITIONS.

By Mr. H. G. Williams: petition of H. S. Taft, J. M. Wilkinson and 55 others, citizens of Marquette county, asking that the Agricultural College and its funds, be connected with the University of Michigan.

Referred to the committee on the Agricultural College.

By Mr. Shier: remonstrance of S. M. Cutcheon, E. P. Allen and 58 others, against the passage of Senate bill No. 137, entitled "A bill for the relief of school district number four, of Ypsilanti, Michigan."

Referred to the committee on local taxation.

#### REPORTS OF STANDING COMMITTEES.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to amend section 37, chapter 17, of the revised statutes of 1857, being section 819, of compiled laws, relative to the duties of township treasurers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Walker,

The bill was laid on the table.

By the committee on State affairs:

The committee on State affairs, to whom was referred Senate bill No. 182, entitled

A bill to regulate the practice of dentistry in the State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred House bill No. 113, entitled

A bill to provide for an appeal from the board of school inspectors of any school district to the board of supervisors,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to provide for an appeal from the board of school inspectors of any school district to the township board;

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman*.

Report and committee discharged.

On motion of Mr. Stewart,

The House concurred in the adoption of the substitute reported by the committee.

The bill having been read a third time, and the question being upon its passage,

It was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Huston,	Mr. Sickels,
Baxter,	Ingersoll,	Snell,
Bostwick,	Lovell,	Stewart,
Cameron,	Mandigo,	Thompson,
B. Clark,	McCowen,	Wagner,
Crane,	McKernan,	Walker,
Davis,	Mead,	Walton,
Doty,	Millington,	Ward,
Eck,	Murray,	Wendell,
Fuller,	Newman,	Westover,
Gay,	Plimpton,	H. G. Williams,
Goodrich,	Purcell,	J. A. Williams,
Grant,	Riford,	W. D. Williams,
Hubbard,	Shaw,	Woodard,
Hunt,	Shier,	Yawkey, 45

#### NAYS.

Mr. Avery,	Mr. Gifford,	Mr. Putnam,
Barnaby,	Harris,	Riopelle,
Beall,	Holt,	Romeyn,
Blake,	Horton,	Seward,
Boynton,	Hurlbut,	Sheldon,
G. G. Briggs,	Hutchinson,	Smith,
R. V. Briggs,	L. Kendrick,	Stanard,
Brownell,	Kingsley,	Stockbridge,
O. Clark,	Lee,	Ternes,
Cogshall,	Miller,	Vowles,
Curry,	Norton,	Weir,
Dussean,	Osborn,	Speaker,
Fenner,		

Mr. Cogshall moved to reconsider the vote by which the bill was lost.

Mr. Stockbridge moved to lay the motion to reconsider on the table;

Which motion did not prevail.

The motion to reconsider then prevailed.

On motion of Mr. Cogshall,

The bill was laid on the table.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred House bill No. 129, entitled

A bill to provide for the laying out, establishing and construction of a certain State road, in the county of Lapeer,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Norton,

The House concurred in the amendment made to the bill by the committee.

The bill having been read a third time, and the question being upon its passage,

It was passed, a majority of the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Holt,	Mr. Romeyn,
Avery,	Horton,	Seward,
Barnaby,	Hubbard,	Shaw,
Baxter,	Hunt,	Sheldon,
Beall,	Hurlbut,	Shier,
Blake,	Huston,	Sickels,
Bostwick,	Hutchinson,	Snell,
Boynton,	Ingersoll,	Stannard,
G. G. Briggs,	L. Kendrick,	Stewart,

R. V. Briggs,	Kingaley,	Stockbridge,
Brownell,	Klein,	Ternes,
Cameron,	Lee,	Thompson,
B. Clark,	Lovell,	Vowles,
O. Clark,	Mandigo,	Wagner,
Cogahall,	McCowen,	Walker,
Crane,	McKernan,	Ward,
Curry,	Mead,	Weier,
Doty,	Miller,	Wendell,
Dusseau,	Millington,	Westover,
Eaton,	Mitchell,	White,
Eck,	Newman,	Wilcox,
Fenner,	Norton,	H. G. Williams,
Fuller,	Osborn,	J. A. Williams,
Gay,	Purcell,	W. D. Williams,
Gifford,	Putnam,	Woodard,
Goodrich,	Riford,	Yawkey,
Grant,	Riopelle,	Speaker,
Harris,		

82

NAYS.

0

Title agreed to.

By the committee on mines and minerals:

The committee on mines and minerals, to whom was recommended House bill No 177, entitled

A bill to amend section 5 of an act approved March 23, 1867, entitled an act to amend sections 5, 10 and 24, of an act entitled "An act to authorize the formation of corporations for mining, smelting or manufacturing iron, copper, mineral coal, silver or other ores or minerals, and for other purposes, approved February 5th, 1853, being sections 1803, 1808 and 1822, of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. Q. McKERNAN, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. H. G. Williams,

The House concurred in the amendment made to the bill by the committee.

The bill having been read a third time, and the question being upon its passage,

It was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Holt,	Mr. Romeyn,
Avery,	Horton,	Sanford,
Barnaby,	Hubbard,	Seward,
Baxter,	Hunt,	Shaw,
Beall,	Hurlbut,	Sheldon,
Blake,	Huston,	Shier,
Bostwick,	Hutchinson,	Snell,
Boynton,	Ingersoll,	Stannard,
G. G. Briggs,	L. Kendrick,	Stewart,
R. V. Briggs,	Kingalev,	Stockbridge,
Brownell,	Klein,	Ternes,
Cameron,	Lee,	Thompson,
B. Clark,	Lovell,	Vowles,
O. Clark,	Mandigo,	Wagner,
Cogahall,	McCowan,	Walker,
Crane,	McKernan,	Walton,
Curry,	Mead,	Ward,
Davis,	Miller,	Weier,
Doty,	Millington,	Wendell,
Dussean,	Mitchell,	Westover,
Eaton,	Murray,	White,
Eck,	Newman,	Wilcox,
Fenner,	Norton,	H. G. Williams,
Fuller,	Osborn,	J. A. Williams,
Gay,	Plimpton,	W. D. Williams,
Gifford,	Purcell,	Woodard,
Goodrich,	Putnam,	Yawkey,
Grant,	Riopelle,	Speaker,
Harris,		

85

## NAYS.

0

Mr. McKernan moved to amend the title, by striking out the first line to and including "1867," and inserting in lieu thereof, "To amend section one, of act No. 89, of the session laws of 1867, being an act;"

Which motion prevailed.

Title agreed to.

On motion of Mr. H. G. Williams,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on education:

The committee on education, to whom was re-referred House bill No. 235, being

A bill to amend sections 10 and 20, and to add section 21, of an act entitled "An act to organize union school district of the city of Saginaw," approved March 18, 1865,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Yawkey,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Yawkey,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Holt,	Mr. Riopelle,
Avery,	Horton,	Romeyn,
Barnaby,	Hubbard,	Seward,
Baxter,	Hunt,	Shaw,
Beall,	Hurlbut,	Sheldon,
Blake,	Huston,	Shier,
Boatwick,	Hutchinson,	Snell,
Boynton,	Ingersoll,	Stannard,
R. V. Briggs,	L. Kendrick,	Stewart,
Brownell,	Kingsley,	Ternes,
Cameron,	Klein,	Thompson,
B. Clark,	Lee,	Vowles,
O. Clark,	Lovell,	Wagner,

Cogshall,	Mandigo,	Walker,
Crane,	McCowen,	Walton,
Curry,	McKernan,	Ward,
Davis,	Mead,	Weier,
Doty,	Miller,	Wendell,
Dusseau,	Millington,	Westover,
Eaton,	Mitchell,	White,
Eck,	Murray,	Wilcox,
Fenner,	Newman,	H. G. Williams,
Fuller,	Norton,	J. A. Williams,
Gay,	Osborn,	W. D. Williams,
Goodrich,	Plimpton,	Yawkey,
Grant,	Purcell,	Speaker,
Harris,	Putnam,	80
	NAYS.	0

Title agreed to.

On motion of Mr. Yawkey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on education:

The committee on education, to whom was referred Senate bill No. 64, entitled

A bill to provide for free schools, and to amend sections 2264, 2267, 2272, 2275, 2301, 2323, 2350 and 2384, of the compiled laws, being sections 21, 24, 29, 32, 58, 80 and 107, of chapter 78, of the revised statutes of 1846, and section 1 of an act entitled an act to amend the revised statutes, relative to the support of primary schools and the custody of the township libraries, approved April 2, 1850, and to repeal sections 2276, 2277, 2278, 2283, 2285, 2286, 2287, 2288, 2289, 2290 and 2381, of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Chairman.*

Report accepted and committee discharged.



On motion of Mr. Curry,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Fuller,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Horton,	Mr. Seward,
Avery,	Hunt,	Shaw,
Baxter,	Hurlbut,	Sheldon,
Beall,	Huston,	Sickels,
Bostwick,	Hutchinson,	Smith,
Boynton,	L. Kendrick,	Snell,
G. G. Briggs,	Kingsley,	Stannard,
R. V. Briggs,	Klein,	Stewart,
Cameron,	Lee,	Stockbridge,
B. Clark,	McCowen,	Ternes,
O. Clark,	McKernan,	Vowles,
Crane,	Mead,	Wagner,
Curry,	Miller,	Walker,
Davis,	Millington,	Ward,
Doty,	Mitchell,	Weier,
Dussean,	Murray,	Wendell,
Eck,	Newman,	Westover,
Fenner,	Osborn,	Wilcox,
Fuller,	Plimpton,	H. G. Williams,
Gay,	Parcell,	J. A. Williams,
Gifford,	Riford,	W. D. Williams,
Grant,	Riopelle,	Yawkey,
Harris,	Romeyn,	Speaker,
Holt,	Sanford,	

71

#### NAYS.

Mr. Barnaby,	Mr. Hubbard,	Mr. Putnam,
Brownell,	Lovell,	Walton,
Goodrich,	Mandigo,	White,

9

Title agreed to.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate manuscript bill, entitled

A bill to provide for dividing the sixth judicial circuit, and creating the sixteenth judicial circuit,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baxter,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Mead,

The bill was then laid on the table and ordered printed.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 56, entitled

A bill to repeal act 237, of the session laws of 1861, approved March 16th, 1861, being an act to regulate proceedings in certain cases of nuisance,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to define certain offenses affecting railroads, and to provide punishment for the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the

House, without amendment, and recommend that it be printed and placed on the general order.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 50, of chapter 134, of the compiled laws, in relation to allowances for improvements in actions of ejectment,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to organize the township of Baraga, in the county of Houghton,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred Senate bill No. 161, entitled

A bill to designate the place of holding the annual township meeting in the township of Manistee, on the first Monday of April, in the year 1869,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred Senate bill No. 171, entitled

A bill to detach certain territory from the townships of Manistee and Stronach, in the county of Manistee, and to organize the same into a township by the name of Filer,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to organize the township of Asbury, in the county of Houghton,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. McKernan,

The bill was laid on the table.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred the petition of D. E. Cushman and others, asking for certain territory in the county of Grand Traverse, to be attached to the county of Austin, together with remonstrances,

Respectfully report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baxter,

The petition was laid on the table.

By the committee on religious and benevolent societies:

The committee on religious and benevolent societies, to whom was recommitteed

A bill granting aid to the St. Mary's Hospital, of the city of Detroit,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that it be printed, and placed on the general order, and ask to be discharged from the further consideration of the subject.

JAMES ASHLEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on religious and benevolent societies:

The committee on religious and benevolent societies, to whom was recommitteed

A bill to amend an act entitled "An act to authorize the organization of Young Men's Christian Associations," approved March 27, 1867, by adding two new sections thereto,

Respectfully report that they have had the same under con-

sideration, and have directed me to report the same back to the House, and recommend that it be printed and placed on the general order, and ask to be discharged from the further consideration of the subject.

**JAMES ASHLEY, *Chairman.***

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred House bill No. 213, entitled

A bill to prevent the shooting of persons in sport,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

**ELISHA F. MEAD, *Chairman.***

Report accepted and committee discharged.

On motion of Mr. Brownell,

The House concurred in the amendment made to the bill by the committee.

On motion of Mr. Snell,

The bill was placed on the order of third reading.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of Galesburg;

Also: the petition of Andrew Blass, R. S. Van Vleet, A. B. Summer, A. D. P. Van Buren and Wm. A. Blake, asking for the passage of the bill,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that

the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*.

Report accepted and committee discharged.

The petition was laid on the table.

On motion of Mr. Cameron,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred House bill No. 36, entitled

A bill to provide for the appointment of a stenographer for the circuit court for the county of Wayne, and for the recorder's or municipal court of the city of Detroit,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman*.

Report accepted and committee discharged.

Mr. Riopelle moved that the House concur in the amendments made to the bill by the committee.

Mr. Stewart moved that the bill be laid on the table;

Which motion did not prevail.

The motion to concur then prevailed.

On motion of Mr. R. V. Briggs,

The bill was laid on the table, and ordered printed.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to repeal act No. 513, of the session laws of 1867, en-

titled "an act to provide for laying out and establishing a State road in the county of Menominee,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. H. G. Williams,

The bill was laid on the table.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to amend an act entitled "an act to provide for the sale of the swamp lands, and the reclamation thereof, and to secure the preemption claims of settlers thereon," approved February 4, 1858,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill for the appropriation of 15,000 acres of swamp lands to the county of Houghton, for the purpose of constructing an iron bridge across Portage river, between the townships of Houghton and Franklin, to render continuous the Mineral Range State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,



and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for the drainage of swamp lands, by means of a ditch to be known as the Stubion ditch,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to provide for the drainage of swamp lands, by means of a ditch to be known as the Stubion ditch;

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baxter,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred Senate bill No. 172, entitled

A bill to repeal act No. 334, of the session laws of 1865, entitled "An act to provide for the drainage and reclamation of swamp lands, by means of a State road, to be known as the Courtland and Muskegon river State road;" also act No. 335, of the session laws of 1865, entitled "An act to provide for the drainage and reclamation of swamp lands, by means of the improvement of the Lamont and Zeeland State road, in Ottawa county;" also, act No. 212, of the session laws of 1865, entitled

"An act to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches, from Nunica, in Ottawa county, to Muskegon, in Muskegon county, to be known as the Nunica and Muskegon State road;" also, act No. 80, of the session laws of 1865, entitled "An act to provide for the laying out, opening and establishing of a certain State road, in the township of Shiawassee, in the county of Shiawassee,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Horton,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill making an additional appropriation of State swamp land for the improvement of the Port Huron, Bay City and Lansing State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Yawkey,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for the construction of certain ditches in the county of St. Clair, and making an appropriation of swamp lands to aid in the construction of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, Jr., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baxter,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred Senate bill No. 164, entitled

A bill to provide for the graduation of the swamp lands, and to authorize payment thereon in swamp land scrip,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON JR., *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for issuing, delivering or depositing patents to swamp lands, and to provide for the assessment and taxation of such lands,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to

the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, Jr., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Norton,

The House concurred in the amendment made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches, from S. W. corner of section 34, in town 17 north, range 10 west, Osceola county, to Grand Traverse Bay,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, Jr., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baxter,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for the construction of a certain State road in the county of Lapeer, and making an appropriation of swamp lands in aid of the construction of said road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation, and

ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baxter,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for the extension of the Capac State road, in the counties of St. Clair and Lapeer, and making an appropriation of swamp lands in aid of such extension,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

Mr. Brownell moved to lay the bill on the table;

Which motion did not prevail.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands to whom was referred

A bill to provide for the drainage and reclamation of swamp lands by means of a road, to be known as the Lapeer and Bay City State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to provide for the drainage and reclamation of swamp lands, by means of a road to be known as the Lapeer and Bay City State road,

Without recommendation, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Wilcox,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. Baxter,

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for grading the hill between Elm Creek and Blue Ledge, on the Port Austin and Sanilac State road, Sanilac county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, Jr., *Chairman.*

Report accepted and committee discharged.

Mr. Fenner moved that the bill be ordered printed, referred to the committee of the whole, and placed on the general order;

Which motion did not prevail.

Mr. Cameron moved to reconsider the vote by which the last motion was lost;

Which motion prevailed.

The motion to order the bill printed and refer the same to the committee of the whole, then prevailed.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to enable practical mechanics to establish coöperative companies,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

D. L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on fisheries:

The committee on fisheries, to whom was referred House bill No. 167, entitled

A bill to amend act No. 66, of the session laws of 1867, approved March 20, 1867, being an act to amend an act entitled an act to amend act No. 328, of the session laws of 1865, being an act entitled an act to provide for the erection and maintenance of shutes for the passage of fish through the dams across the streams of the State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. A. T. WENDELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Wilcox,

The House concurred in the amendment made to the bill by the committee.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Stewart moved to amend by inserting after the word "streams," in the first line of section 2, the words "which by law is a public highway."

Mr. Grant moved to amend the amendment by adding thereto, "or is capable of floating logs at least one month in each year;"

Which motion did not prevail.

The original amendment was then agreed to.

Mr. Hunt moved to further amend, by inserting after the word

"shute," wherever it occurs in the bill, the words "or apron;"

Which was not agreed to.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Fenner,	Mr. Putnam,
Avery,	Fuller,	Rowison,
Barnaby,	Gay,	Shaw,
Baxter,	Goodrich,	Sheldon,
Beall,	Hurlbut,	Stannard,
Bostwick,	Ingersoll,	Tarnes,
R. V. Briggs,	L. Kendrick,	Vowler,
Brownell,	Kingsley,	Walker,
Cameron,	Klein,	Walton,
B. Clark,	Lovell,	Wendell,
O. Clark,	Mead,	Wilcox,
Cogshall,	Mitchell,	H. G. Williams,
Davis,	Murray,	J. A. Williams,
Dussean,	Osborn,	Woodard,
Eaton,	Parcell,	Speaker, 45

## NAYS.

Mr. Crane,	Mr. Lee,	Mr. Sickels,
Curry,	Mandigo,	Slayton,
Doty,	McCowen,	Smith,
Eck,	Miller,	Stewart,
Grant,	Millington,	Wagner,
Harris,	Newman,	Weier,
Holt,	Norton,	Westover,
Hunt,	Riford,	W. D. Williams,
Huston,	Riopelle,	Yawkey, 29
Hutchinson,	Romeyn,	

By the committee on fisheries:

The committee on fisheries, to whom was referred Senate bill No. 128, entitled

A bill to amend an act entitled "An act to provide for the protection and preservation of fish, in certain lakes in the county of Cass," approved March 26, 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,



and ask to be discharged from the further consideration of the subject.

J. A. T. WENDELL, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, March 13, 1869. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 74, entitled

A bill to incorporate the village of Plainwell, in the county of Allegan,

And to inform the House that the Senate has amended the same as follows:

1. By substituting the following for section one of the bill:

"Section 1. *The People of the State of Michigan enact*, That so much of the township of Gun Plain, in the county of Allegan, as is included in the following territory, to wit: The south-west quarter of the north-east quarter of section twenty nine, the north-west quarter of section twenty-nine, the south-west quarter, excepting the south-east fractional quarter of section twenty-nine, the east half of the south-east quarter, the north-west quarter of the south-east quarter, the north-east quarter of the south-west quarter, the east half of the north-west quarter, and the north-east quarter of section thirty; the south-east quarter of the south-east quarter of section nineteen, and the south-west quarter of the south-west quarter of section twenty, in town one north, of range eleven west, be and the same is hereby constituted a village corporate, by the name of the village of Plainwell;"

2. By striking out in line 3, of section 5, the word "honorably," and inserting "honestly," in place thereof;

3. By striking out in lines 4 and 5, of section 6, the words "and impartially;"

4. By inserting after the word "came," in line 37, of section 10, the words "the same;"

5. By striking out in line 5, of section 13, the words "in which the same was published;"

6. By striking out in line 6, of section 2, the word "marshal," and inserting the following: "clerk and one person shall be elected treasurer," and also by striking out in lines 6 and 7 of the same section, the words "and marshal," and inserting in place thereof, the words "clerk and treasurer;"

7. By striking out in line 4, of section 4, the word "should," and inserting "shall," in its place;

8. By striking out in lines 6, 7 and 8, of section 6, the words "and it shall be the duty of the president and trustees, on their being duly qualified, to appoint a village clerk, who shall hold his office one year, unless sooner removed by them;" also by inserting in line 8, after the word "board," the words "of trustees;"

9. By striking out in line 3, of section 10, the word "treasurer," and inserting the word "marshal," in place thereof;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Brownell moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Ashley,  
Barnaby,  
Baxter,  
Beall,  
Bostwick,

Mr. Goodrich,  
Grant,  
Holt,  
Hunt,  
Hurlbut,

Mr. Riopelle,  
Romeyn,  
Rowlson,  
Shaw,  
Sheldon,

Boynton,	Hutchinson,	Sickels,
R. V. Briggs,	Ingersoll,	Slayton,
Brownell,	L. Kendrick,	Snell,
Cameron,	Kingsley,	Stannard,
B. Clark,	Klein,	Stockbridge,
O. Clark,	Lee,	Ternes,
Cogahall,	Lovell,	Vowles,
Crane,	Mandigo,	Wagner,
Curry,	Mead,	Walker,
Davis,	Millington,	Walton,
Doty,	Mitchell,	Weier,
Dusean,	Newman,	Westover,
Eaton,	Norton,	J. A. Williams,
Eck,	Osborn,	W. D. Williams,
Fenner,	Purcell,	Woodard,
Fuller,	Putnam,	Yawkey,
Gay,	Riford,	Speaker, 66

NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, March 18, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 46, entitled

A bill to incorporate the village of Ovid,

And to inform the House that the Senate has amended the same, as follows:

1. By striking out in line 4, of section 6, the words "and impartially;"

2. By striking out in line 1, of section 8, the words "three dollars," and inserting in place thereof the words "one dollar and fifty cents;"

3. By inserting in line 6, of section 15, after the word "forenoon," the words "as soon thereafter as may be;"

4. By striking out in line 19, of section 36, the word "such," inserting in place thereof the word "twelve;"

5. By striking out in line 6, of section 48, the word "absolute;"

6. By attaching to the word "with," in line 39 of section 61, the word "out;"

7. By striking out the word "repaired," where it occurs in lines 98 and 108, of section 31;"

In the passage of which as thus amended the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate*

Mr. Romeyn moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Grant,	Mr. Sickels,
Baxter,	Hunt,	Slayton,
Beall,	Hutchinson,	Smith,
Boynton,	Ingersoll,	Snell,
R. V. Briggs,	Kingaley,	Stannard,
Cameron,	Klein,	Stewart,
B. Clark,	Lee,	Stockbridge,
O. Clark,	Lovell,	Ternes,
Cogshall,	Mandigo,	Vowles,
Crane,	Mead,	Wagner,
Curry,	Miller,	Walker,
Davis,	Millington,	Walton,
Doty,	Osborn,	Weier,
Dusseau,	Purcell,	Wendell,
Eaton,	Putnam,	Wilcox,
Eck,	Riford,	J. A. Williams,
Fenner,	Riopelle,	W. D. Williams,
Fuller,	Romeyn,	Woodard,
Gay,	Rowlson,	Yawkey,
Gifford,	Sheldon,	Speaker,
Goodrich,	Shier,	

62

NAYS.

Mr. Brownell,

1

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 15, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 146, entitled

A bill to authorize the mayor, recorder and aldermen of the city of Ann Arbor to borrow money and issue bonds to aid in furnishing said city with water;

2. Senate bill No. 166, entitled

A bill to amend sections 4 and 6, of chapter 42, of the revised statutes of 1846, being sections 1566 and 1568, of the compiled laws, relative to the maintenance of illegitimate children;

Which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 15, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following:

House bill No. 133, entitled

A bill to attach Manitou county to the thirteenth judicial circuit;

And to inform the House that the Senate has amended the same by striking out all after the word "circuit," in line 2, of section 1, and inserting in place thereof, the words "and the

county of Osceola shall be and the same is hereby attached to the fourteenth judicial circuit."

The Senate has also amended the title by adding at the end thereof, the words "and to attach Osceola county to the fourteenth judicial circuit;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Hunt moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Harris,	Mr. Shier,
Barnaby,	Horton,	Sickels,
Baxter,	Hunt,	Slayton,
Beall,	Hutchinson,	Smith,
Bostwick,	Ingersoll,	Snell,
Boynton,	L. Kendrick,	Stannard,
G. G. Briggs,	Kingsley,	Stewart,
R. V. Briggs,	Klein,	Stockbridge,
Brownell,	Lee,	Ternes,
Cameron,	Lovell,	Vowles,
B. Clark,	Mandigo,	Wagner,
O. Clark,	McKernan,	Walker,
Crane,	Mead,	Walton,
Curry,	Millington,	Ward,
Davis,	Mitchell,	Weier,
Doty,	Norton,	Wendell,
Duseean,	Osborn,	Westover,
Eaton,	Parcell,	Wilcox,
Fenner,	Putnam	J. A. Williams,
Fuller,	Riford,	W. D. Williams,
Gav,	Romeyn,	Woodard,
Gifford,	Rowlson,	Yawkey,
Goodrich,	Shaw,	Speaker,
Grant,	Sheldon,	

71

• NAYS.

0

The amendment to the title of the bill was agreed to.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

THIRD READING OF BILLS.

House bill No. 247, entitled

A bill to amend section 1 of an act entitled "An act to revise the charter of the city of Adrian," approved March 21, 1865,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Walton moved to amend, by inserting in the first line of section 1, after the word "one," the words "and three," and adding the letter "s" to the word "section;" also by adding the following, to stand as section 3 of the bill:

"Sec. 3. The said city shall be divided into four wards, as follows: All that part of said city embraced in the following described limits shall be the first ward, to wit: Commencing at the south-east corner of said city, and running thence northerly on the east line of the city to the center line of Maumee street; thence westerly on the center line of Maumee street to the center line of Main street; thence southerly on the center line of Main street to the center line of Church street; thence easterly on the center line of Church street to the center of the northerly continuation of State street; thence southerly on the center line of the northerly continuation of State street to the north end of the center line of State street; and thence southerly on the center line of State street, and on a line corresponding with the center line of State street, to the south line of the city; and thence easterly on the south line of the city, to the south-east corner of the city;

All that part of said city embraced within the following described limits, shall be the second ward, to-wit: Commencing at the north-east corner of the city, running thence southerly on the east line of the city to the center line of Maumee street; thence westerly on the center line of Maumee street to the center line of Main street; thence northerly on the center

line of Main street to the north line of the city; thence easterly on the north line of the city to the place of beginning;

All that part of the city lying north and west of the following described line shall be and constitute the third ward, to-wit: Beginning on the north line of the city at the north-west corner of the second ward, as the same is above described, and running thence on the center line of Main street, southerly to the center line of Maumee street; and thence westerly in the center of Maumee street to the middle of the south branch of the river Raisin; thence southerly and up stream, in the middle of the channel of said river, to a point east of the east end of the center line of the street called College avenue; thence westerly on the center line of College avenue, and on a line corresponding with the center line of College avenue, to Madison street; thence southerly on Madison street to Michigan avenue; and thence westerly on Michigan avenue to the west line of the city;

All that part of said city lying west and south of the following described line shall constitute the fourth ward of the city, viz: Beginning on the south line of the city at the south-west corner of the said first ward, as above described, and running thence southerly on the west line of said first ward to the center of Church street; and thence westerly on the center line of Church street to the center line of Main street; thence northerly on the center line of Main street to the center line of Maumee street; thence westerly on the center line of Maumee street to the middle of said south branch of said River Raisin; thence southerly and up stream in the middle of the channel of said river, to a point east of the east end of the center line of College avenue; thence westerly on the center line of College avenue, and on a line corresponding with the said center line of College avenue, to the west line of said city;"

Which were agreed to.

Mr. Shaw moved to further amend by striking out in lines 7 and 8, of section 1, the words "and the north half of the northwest quarter of section number ten;"



Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Harris,	Mr. Slayton,
Barnaby,	Holt,	Smith,
Baxter,	Horton,	Snell,
Beall,	Hunt,	Stannard,
Bostwick,	Hutchinson,	Stewart,
G. G. Briggs,	Kingsley,	Stockbridge,
R. V. Briggs,	Klein,	Ternes,
Brownell,	Lane,	Vowles,
Cameron,	Lee,	Wagner,
B. Clark,	Lovell,	Walker,
O. Clark,	McKernan,	Walton,
Cogshall,	Mead,	Ward,
Crane,	Miller,	Weier,
Curry,	Millington,	Wendell,
Davis,	Mitchell,	Westover,
Doty,	Osborn,	Wilcox,
Eck,	Purcell,	H. G. Williams,
Fenner,	Putnam,	J. A. Williams,
Fuller,	Romeyn,	W. D. Williams,
Gay,	Rowlson,	Woodard,
Gifford,	Shaw,	Yawkey,
Goodrich,	Sheldon,	Speaker,
Grant,	Shier,	

68

## NAYS.

0

Mr. Slayton moved to amend the title by adding the letter "s" to the word "section," and by inserting the words "and three," after the word "one;"

Which motion prevailed.

The title, as amended, was agreed to.

On motion of Mr. Baxter,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 179, entitled

A bill to incorporate the village of Lisbon, in Kent and Ottawa counties,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Barnaby,	Mr. Horton,	Mr. Sheldon,
Baxter,	Hunt,	Shier,
Beall,	Huston,	Sickels,
Bostwick,	Hutchinson,	Slayton,
G. G. Briggs,	Ingersoll,	Smith,
R. V. Briggs,	Kingsley,	Snell,
Brownell,	Klein,	Stannard,
Cameron,	Lane,	Stewart,
B. Clark,	Lee,	Stockbridge,
O. Clark,	Lovell,	Ternes,
Cogahall,	McKernan,	Vowles,
Crane,	Mead,	Wagner,
Curry,	Miller,	Walker,
Davis,	Millington,	Walton,
Doty,	Mitchell,	Weier,
Eck,	Norton,	Westover,
Fenner,	Osborn,	Wilcox,
Fuller,	Purcell,	H. G. Williams,
Gay,	Putnam,	J. A. Williams,
Gifford,	Romeyn,	W. D. Williams,
Goodrich,	Rowlson,	Woodard,
Grant,	Seward,	Yawkey,
Harris,	Shaw,	Speaker,
Holt,		

70

## NAYS.

0

Title agreed to.

On motion of Mr. Davis,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 180, entitled

A bill to incorporate the village of Portland, in Ionia county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Holt,	Mr. Shaw,
Barnaby,	Horton,	Sheldon,
Baxter,	Hubbard,	Shier,
Beall,	Hunt,	Sickels,
Bostwick,	Huston,	Slayton,
G. G. Briggs,	Hutchinson,	Smith,
R. V. Briggs,	Ingersoll,	Snell,
Brownell,	Kingsley,	Stewart,

Cameron,	Klein,	Stockbridge,	
B. Clark,	Lee,	Ternes,	
O. Clark,	Lovell,	Vowles,	
Cogshall,	McKernan,	Wagner,	
Crane,	Mead,	Walker,	
Curry,	Miller,	Walton,	
Davis,	Millington,	Ward,	
Doty,	Norton,	Weier,	
Fuller,	Osborn,	H. G. Williams,	
Gay,	Purcell,	J. A. Williams,	
Gifford,	Putnam,	Woodard,	
Goodrich,	Romeyn,	Yawkey,	
Grant,	Rowlson,	Speaker,	65
Harris,	Seward,		
	NAYS.		0

Title agreed to.

On motion of Mr. Smith,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 181, entitled

A bill to amend section two of an act entitled "An act to incorporate the grand lodge of free and accepted masons of the State of Michigan," approved April 2d, 1849,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Holt,	Mr. Sheldon,
Baxter,	Horton,	Shier.
Beall,	Hunt,	Sickels,
Bostwick,	Hutchinson,	Slayton,
G. G. Briggs,	Ingersoll,	Smith,
R. V. Briggs,	Kingsley,	Snell,
Brownell,	Klein,	Stewart,
Cameron,	Lane,	Stockbridge,
B. Clark,	Lee,	Ternes,
O. Clark,	Lovell,	Vowles,
Cogshall,	McKernan,	Wagner,
Crane,	Miller,	Walker,
Curry,	Millington,	Walton,
Davis,	Mitchell,	Ward,
Doty,	Norton,	Weier,
Eck,	Osborn,	Westover,
Fuller,	Purcell,	H. G. Williams,

Gay,  
Gifford,  
Goodrich,  
Grant,  
Harris,

Riford,  
Romeyn,  
Rowlson,  
Seward,  
Shaw,

J. A. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker, 66

NAYS.

0

Title agreed to.

On motion of Mr. Romeyn,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 182, entitled

A bill to attach certain unorganized territory to the county of Iosco,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Yawkey,

The bill was recommitted to the committee on towns and counties,

House bill No. 183, entitled

A bill to authorize the township of Cambridge, Lenawee county, to raise by tax, certain moneys for the relief of Andrew Ayres, late treasurer of said town,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,  
Barnaby,  
Baxter,  
Beall,  
Bostwick,  
R. V. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Curry,  
Davis,  
Doty,

Mr. Grant,  
Harria,  
Holt,  
Horton,  
Hunt,  
Hutchinson,  
Ingersoll,  
Kingsley,  
Klein,  
Lane,  
Lee,  
Lovell,  
McKernan,  
Miller,  
Millington,

Mr. Seward,  
Shaw,  
Sheldon,  
Sickels,  
Slayton,  
Smith,  
Snell,  
Stewart,  
Ternes,  
Vowles,  
Wagner,  
Walker,  
Walton,  
Ward,  
Weier,

Eck,  
Fenner,  
Fuller,  
Gay,  
Gifford,  
Goodrich,

Norton,  
Osborn,  
Purcell,  
Riford,  
Romeyn,  
Rowlson,

Westover,  
J. A. Williams,  
W. D. Williams,  
Yawkey,  
Speaker,

62

NAYS.

0

Title agreed to.

On motion of Mr. Baxter,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 189, entitled

A bill to amend section 2, of act No. 231, of the session laws of 1859, being an act to abolish the fees of clerks of the Supreme Court, approved February 15th, 1859,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,  
Barnaby,  
Baxter,  
Beall,  
Bostwick,  
G. G. Briggs,  
R. V. Briggs,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Curry,  
Davis,  
Doty,  
Eaton,  
Eck,  
Fenner,  
Fuller,  
Gay,  
Gifford,

Mr. Goodrich,  
Grant,  
Harris,  
Holt,  
Hunt,  
Hurlbut,  
Ingersoll,  
Kingsley,  
Klein,  
Lee,  
Lovell,  
McKernan,  
Millington,  
Mitchell,  
Newman,  
Osborn,  
Purcell,  
Putnam,  
Riford,  
Romeyn,  
Rowlson,

Mr. Seward,  
Sheldon,  
Shier,  
Sickels,  
Slayton,  
Smith,  
Stewart,  
Stockbridge,  
Ternes,  
Wagner,  
Walker,  
Walton,  
Ward,  
Weier,  
Wendell,  
Westover,  
Wilcox,  
H. G. Williams,  
W. D. Williams,  
Yawkey,  
Speaker,

63

NAYS.

Mr. Horton,  
Hubbard,

Mr. Hutchinson,  
Vowles,

Mr. J. A. Williams,

5

Title agreed to.

On motion of Mr. Romeyn,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. G. G. Briggs,

The House took a recess until this afternoon at 2 o'clock.

—  
AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker:

Roll called: quorum present.

Mr. Millington offered the following:

*Resolved*, That a committee of three be appointed by this House, to examine the heating apparatus connected with this Hall, and report the cost of repairing the same, so as to prevent the escape of smoke from said apparatus into the hall; and if by them deemed expedient, report the cost of substituting other means of warming the Hall in place of that now in use;

Which was adopted.

The Speaker appointed Messrs. Millington, Fenner and Klein as such committee.

The House then resumed the order of

THIRD READING OF BILLS.

Senate bill No. 75, entitled

A bill to amend sections 12, 16 and 26, of chapter 123, of the revised statutes of 1846, of forcible entries and detainers, being sections 4985, 4989 and 4999, of the compiled laws, and to repeal act No. 94, of the session laws of 1867, approved March 25, 1867,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Romeyn,

The bill was laid on the table.

House bill No. 190, entitled

A bill to amend sections 12, 13, 14 and 15, of chapter 154, of the revised statutes of 1846, being sections 5756, 5757, 5758

and 5759, of chapter 181 of the compiled laws, entitled "Of offences against property,"

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashly,	Mr. Hubbard,	Mr. Romeyn,
Avery,	Hunt,	Rowlson,
Barnaby,	Hurlbut,	Seward,
Beall,	Huston,	Shaw,
Bostwick,	Hutchinson,	Sheldon,
G. B. Briggs,	Ingersoll,	Shier,
R. V. Briggs,	L. Kendrick,	Smith,
Brownell,	Kingsley,	Snell,
Cameron,	Klein,	Stannard,
B. Clark,	Lee,	Stockbridge,
O. Clark,	Loyell,	Thompson,
Crane,	Mandigo,	Vowles,
Curry,	McCowen,	Wagner,
Davis,	McKernan,	Walker,
Dusseau,	Mead,	Walton,
Eaton,	Miller,	Weier,
Eck,	Millington,	Westover,
Fenner,	Mitchell,	White,
Fuller,	Murray,	Wilcox,
Gay,	Newman,	H. G. Williams,
Gifford,	Norton,	J. A. Williams,
Goodrich,	Osborn,	W. D. Williams,
Grant,	Putnam,	Yawkey,
Holt,	Riford,	Speaker,
Horton,		

73  
0

## NAYS.

Title agreed to.

House bill No. 191, entitled

A bill to amend an act entitled "An act to amend sections 11 and 127, of chapter 117, of the compiled laws, relative to security for costs in justices' courts," approved March 20, 1863,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Mead,

The further consideration of the bill was indefinitely postponed.

House bill No. 192, entitled

A bill to change the name of the plat and village of Crawville, in the county of Muskegon, to Fruitport,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Hunt,	Mr. Shaw,
Avery,	Hurlbut,	Sheldon,
Barnaby,	Huston,	Shier,
Beall,	Hutchinson,	Sickles,
Bostwick,	Ingersoll,	Smith,
G. G. Briggs,	L. Kendriak,	Snell,
R. V. Brigga,	Kingsley,	Stannard,
Cameron,	Lee,	Stockbridge,
B. Clark,	Lovell,	Thompson,
Cogahall,	Mandigo,	Vowles,
Curry,	McCowen,	Wagner,
Davis,	McKernan,	Walker,
Doty,	Mead,	Walton,
Dusseau,	Miller,	Ward,
Eaton,	Millington,	Weier,
Eck,	Mitchell,	Westover,
Fenner,	Murray,	White,
Fuller,	Newman,	Wilcox,
Gay,	Norton,	H. G. Williams,
Gifford,	Osborn,	J. A. Williams,
Grant,	Putnam,	W. D. Williams,
Harris,	Riford,	Woodard,
Holt,	Riopelle,	Yawkey,
Horton,	Romeyn,	Speaker,
Hubbard,	Seward	

74

## NAYS.

Mr. Klein,

1

Title agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 193, entitled

A bill to change the name of James R. Fancher to James R. Witmar,

Was read a third time, and pending the taking of the vote on the passage thereof,



On motion of Mr. W. D. Williams,

The further consideration of the bill was indefinitely postponed.

House bill No. 194, entitled

A bill to change the name of Laura Montague to Laura Scott, and to constitute her heir-at-law of Jay Ward Scott and Jerusha Warner Scott,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Mead,

The bill was laid on the table.

House bill No. 195, entitled

A bill to change to change the name of Emmet Robert Skinner to Robert Emmet Skinner,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Miller,

The bill was laid on the table.

House bill No. 199, entitled

A bill to restore section 36, of township 1 north, of range 12 east, to the township of Erin, in the county of Macomb, and to repeal act No. 172, of the session laws of 1865, approved March 14, 1865,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Horton,	Mr. Seward,
Avery,	Hubbard,	Shaw,
Barnaby,	Hunt,	Sheldon,
Beall,	Hurlbut,	Shier,
Bostwick,	Hutchinson,	Sickels,
Boynston,	Ingersoll,	Smith,
G. G. Briggs,	L. Kendrick,	Snell,
R. V. Briggs,	Kingsley,	Stannard,
Cameron,†	Klein,	Stockbridge,
B. Clark,	Lane,	Thompson,
O. Clark,	Lee,	Vowles,
Cogshall,	Lovell,	Wagner,
Curry,	Mandigo,	Walker,

Davis,	McCowen,	Walton,
Doty,	McKernan,	Ward,
Dusseau,	Mead,	Weier,
Eaton,	Miller,	Westover,
Eck,	Millington,	White,
Fenner,	Newman,	Wilcox,
Fuller,	Norton,	H. G. Williams,
Gay,	Osborn,	J. A. Williams,
Gifford,	Putnam,	W. D. Williams,
Goodrich,	Riford,	Woodard.
Grant,	Riopelle,	Yawkey,
Harris,	Romeyn,	Speaker,
Holt,		
	NAYS.	76
		0

Title agreed to.

On motion of Mr. Miller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 200, entitled

A bill to reorganize the township of Caledonia, in the county of Shiawassee,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Ward moved that the bill be laid on the table;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Horton,	Mr. Romeyn,
Avery,	Hubbard,	Seward,
Barnaby,	Hunt,	Shaw,
Beall,	Hurlbut,	Sheldon,
Boswick,	Huston,	Shier,
Boynton,	Hutchinson,	Sickels,
G. G. Briggs,	Ingersoll,	Slayton,
R. V. Briggs,	L. Kendrick,	Smith,
Brownell,	Kingsley,	Snell,
Cameron,	Klein,	Stannard,
B. Clark,	Lane,	Stockbridge,
O. Clark,	Lee,	Thompson,
Cogshall,	Lovell,	Vowles,
Curry,	Mandigo,	Wagner,

Davis,	McCowan,	Walker,	
Doty,	McKernan,	Walton,	
Dusseau,	Mead,	Ward,	
Eaton,	Miller,	Weier,	
Eck,	Millington,	Westover,	
Fenner,	Mitchell,	White,	
Fuller,	Murray,	H. G. Williams,	
Gay,	Newman,	J. A. Williams,	
Gifford,	Norton,	W. D. Williams,	
Goodrich,	Osborn,	Woodard,	
Grant,	Putnam,	Yawkey,	
Harris,	Riford,	Speaker,	
Holt,	Riopelle,		80
	NAYS.		0

Title agreed to.

On motion of Mr. Horton,

By a vote of two-thirds of all the members elect, the bill was ordered to take effect.

Senate bill No. 46, entitled

A bill to set off that portion of the township of Richland, in the county of Kalamazoo, situate east of Gull Lake, and attach the same to the township of Ross,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Hubbard,	Mr. Romeyn,
Avery,	Hunt,	Seward,
Beall,	Hurlbut,	Shaw,
Bostwick,	Huston,	Sheldon,
Boynton,	Hutchinson,	Shier,
G. G. Briggs,	Kingsley,	Sickels,
R. V. Briggs,	Klein,	Slayton,
Brownell,	Lane,	Snell,
Cameron,	Lee,	Stannard,
B. Clark,	Lovell,	Ternes,
O. Clark,	Mandigo,	Thompson,
Cogshall,	McCowan,	Vowles,
Curry,	McKernan,	Wagner,
Doty,	Mead,	Walker,
Dusseau,	Miller,	Walton,
Eaton,	Millington,	Ward,
Eck,	Mitchell,	Weier,
Fenner,	Murray,	Westover,

Fuller,  
Gay,  
Gifford,  
Goodrich,  
Grant,  
Harris,  
Holt,  
Horton,

Newman,  
Norton,  
Osborn,  
Plimpton,  
Purcell,  
Putnam,  
Riford,

White,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker,

76

NAYS.

0

Title agreed to.

On motion of Mr. Lovell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 39, entitled

A bill to amend act No. 129, of the session laws of 1867, approved March 27, 1867, entitled "An act rendering persons disqualified for sitting as jurors in certain cases," by adding two new sections thereto, to stand as sections 3 and 4,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,  
Avery,  
Beall,  
Blake,  
Bostwick,  
Boynton,  
B. Clark,  
Crane,  
Davis,  
Doty,  
Dusseau,  
Eaton,  
Eck,  
Fenner,  
Fuller,  
Gay,  
Gifford,  
Grant,

Mr. Harris,  
Hunt,  
L. Kendrick,  
Kingsley,  
Lane,  
Lee,  
Lovell,  
McCowen,  
McKernan,  
Mead,  
Miller,  
Millington,  
Mitchell,  
Murray,  
Norton,  
Osborn,  
Plimpton,  
Purcell,

Mr. Putnam,  
Riford,  
Sickels,  
Slayton,  
Smith,  
Snell,  
Stockbridge,  
Vowles,  
Wagner,  
Walker,  
Walton,  
Ward,  
Weier,  
Westover,  
H. G. Williams,  
J. A. Williams,  
Yawkey,

53

NAYS.

Mr. G. G. Briggs,  
R. V. Briggs,

Mr. Horton,  
Hubbard,

Mr. Seward,  
Shaw,

Brownell,	Hurlbut,	Sheldon,
Cameron,	Huston,	Stannard,
O. Clark,	Hutchinson,	Ternes,
Cogshall,	Klein,	White,
Curry,	Mandigo,	W. D. Williams,
Goodrich,	Newman,	Woodard,
Holt,	Romeyn,	Speaker, 27

Title agreed to.

House bill No. 202, entitled

A bill to amend section 4581, of the compiled laws, being section 28, of chapter 134, relating to the action of ejectment,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Hubbard,	Mr. Rowson,
Avery,	Hunt,	Seward,
Baxter,	Hurlbut,	Shaw,
Beall,	Huston,	Sheldon,
Blake,	Hutchinson,	Sickels,
Bostwick,	L. Kendrick,	Slayton,
Boynnton,	Kingsley,	Smith,
G. G. Briggs,	Klein,	Snell,
R. V. Briggs,	Lane,	Stannard,
Brownell,	Lee,	Stockbridge,
Cameron,	Lovell,	Ternes,
B. Clark,	Mandigo,	Vowles,
O. Clark,	McCowen,	Wagner,
Cogshall,	McKernan,	Walker,
Crane,	Mead,	Walton,
Curry,	Miller,	Ward,
Davis,	Millington,	Weier,
Doty,	Mitchell,	Westover,
Dusseau,	Murray,	White,
Eaton,	Newman,	H. G. Williams,
Fenner,	Norton,	J. A. Williams,
Fuller,	Osborn,	W. D. Williams,
Gifford,	Plimpton,	Woodard,
Goodrich,	Putnam,	Yawkey,
Grant,	Riford,	Speaker,
Holt,	Romeyn,	

77

NAYS.

0

Title agreed to.

House bill No. 203, entitled

A bill to amend chapter 99 of the compiled laws, being chapter 75, of the revised statutes of 1845,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

Mr. Ashley,	Mr. Hunt,	Mr. Rowison,
Baxter,	Hurlbut,	Seward,
Beall,	Hutchinson,	Shaw,
Bostwick,	L. Kendrick,	Sheldon,
G. G. Briggs,	Kingsley,	Sickels,
R. V. Briggs,	Klein,	Slayton,
Brownell,	Lane,	Smith,
Cameron,	Lee,	Snell,
B. Clark,	Lovell,	Stannard,
Cogshall,	Mandigo,	Stockbridge,
Crane,	McCowan,	Ternes,
Curry,	McKernan,	Vowles,
Davis,	Mead,	Wagner,
Doty,	Miller,	Walker,
Dussean,	Millington,	Walton,
Eaton,	Mitchell,	Ward,
Eck,	Murray,	Weier,
Fenner,	Newman,	Westover,
Fuller,	Norton,	White,
Gifford,	Osborn,	H. G. Williams,
Goodrich,	Plimpton,	J. A. Williams,
Grant,	Putnam,	Woodard,
Harris,	Riford,	Yawkey,
Horton,	Romeyn,	Speaker,
Hubbard,		

73

NAYS.

0

Mr. Mead moved to amend the title by adding thereto the following: "relative to estates of deceased persons, by adding a new section thereto, to stand as section 13; "

Which motion prevailed.

The title, as amended, was agreed to.

On motion of Mr. Lane,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 157, entitled

A bill to incorporate the village of Fenton,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Avery,	Mr. Huston,	Mr. Seward,
Baxter,	Hutchinson,	Shaw,
Bostwick,	L. Kendrick,	Sheldon,
G. G. Briggs,	Kingsley,	Sickels,
R. V. Briggs,	Klein,	Slayton,
Brownell,	Lane,	Smith,
Cameron,	Lee,	Snell,
B. Clark,	Lovell,	Stannard,
O. Clark,	Mandigo,	Stockbridge,
Cogshall,	McCowen,	Ternes,
Curry,	McKernan,	Vowles,
Davis,	Mead,	Wagner,
Dussean,	Miller,	Walker,
Eaton,	Millington,	Walton,
Eck,	Mitchell,	Ward,
Fenner,	Murray,	Weier,
Fuller,	Newman,	Westover,
Gifford,	Norton,	White,
Grant,	Plimpton,	H. G. Williams,
Horton,	Purcell,	J. A. Williams,
Hubbard,	Putnam,	Yawkey,
Hunt,	Riford,	Speaker,
Hurlbut,	Romeyn,	
	NAYES.	68
		0

Title agreed to.

On motion of Mr. Horton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 204, entitled

A bill to authorize the township of Watervliet to refund certain moneys advanced by George Parsons in paying bounties, and to levy a tax therefor,

Was read a third time and passed, a majority of all the members elect, voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Grant,	Mr. Rowson,
Avery,	Hubbard,	Shaw,
Barnaby,	Hunt,	Sheldon,
Beall,	Hurlbut,	Slayton,

Blake,  
 Bostwick,  
 Boynton,  
 G. G. Briggs,  
 R. V. Briggs,  
 Bro • nell,  
 Cameron,  
 B. Clark,  
 O. Clark,  
 Crane,  
 Curry,  
 Davis,  
 Doty,  
 Dussseau,  
 Eaton,  
 Eck,  
 Fenner,  
 Fuller,  
 Gay,  
 Gifford,  
 Goodrich,

Hutchinson,  
 Ingersoll,  
 L. Kendrick,  
 Kingsley,  
 Klein,  
 Lane,  
 Lee,  
 McCowen,  
 McKernan,  
 Mead,  
 Mitchell,  
 Murray,  
 Newman,  
 Norton,  
 Osborn,  
 P. impton,  
 Purcell,  
 Putnam,  
 Riford,  
 Romeyn,

Smith,  
 Snell,  
 Stannard,  
 Stockbridge,  
 Swift,  
 Ternea,  
 Vowles,  
 Wagner,  
 Walker,  
 Walton,  
 Ward,  
 Weier,  
 Wendell,  
 Westover,  
 White,  
 H. G. Williams,  
 J. A. Williams,  
 Woodard,  
 Yawkey,  
 Speaker,

78

## NAYS.

Mr. Lovell,

1

Title agreed to.

On motion of Mr. Baxter,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 207, entitled

A bill to amend act No. 180, of the session laws of 1863, entitled "An act to provide for laying out, establishing and improving a road from Muskegon Lake, to the north line of Mason county, and to appropriate swamp lands therefor," approved March 20, 1863; also, act No. 393, of the session laws of 1867, approved March 22, 1867, amendatory thereof,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Holt moved to amend the bill by inserting after the words "sixty-three" in line three of section one, the following: "entitled an act to provide for laying out, establishing and improving a road from Muskegon lake to the north line of Mason



county, and to appropriate swamp lands therefor;" also, by inserting after the words "sixty-three," in line two of section two, the following: "entitled an act to provide for laying out, establishing and improving a road from Muskegon lake to the north line of Mason county, and to appropriate swamp lands therefor;" also, by inserting after the words "sixty-seven," in line four of section two, the following: "an act to amend an act entitled an act to provide for laying out, establishing and improving a road from Muskegon lake to the north line of Mason county, and to appropriate swamp lands therefor;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Grant,	Mr. Plimpton,
Avery,	Holt,	Rowison,
Barnaby,	Hubbard,	Shaw,
Baxter,	Hunt,	Slayton.
Beall,	Hurlbut,	Smith,
Blake,	Hutchinson,	Snell,
Bostwick,	Ingersoll,	Stannard,
Brownell,	L. Kendrick,	Stockbridge,
Cameron,	Kingsley,	Swift,
B. Clark,	Klein,	Vowles,
Cogshall,	Lane,	Wagner,
Crane,	Mandigo,	Walton,
Curry,	McKernan.	Ward,
Doty,	Mead,	Wendell,
Eaton,	Miller,	Westover,
Eck,	Mitchell,	White,
Fenner,	Newman,	H. G. Williams,
Fuller,	Norton,	Yawkey,
Gifford,	Osborn,	Speaker,
Goodrich,		

58

## NAYS.

Mr. G. G. Briggs,	Mr. Loyell,	Mr. Sheldon,
R. V. Briggs,	Murray,	Ternes,
O. Clark,	Purcell,	Walker,
Davis,	Putnam,	Weier,
Duaneau,	Riford,	J. A. Williams,
Lee,	Romeyn,	Woodard,

18

Title agreed to.

Mr. Holt moved that the bill be ordered to take immediate effect;

Which motion did not prevail.

House bill No. 210, entitled

A bill to amend section 2, of act number 213, of the session laws of 1865, entitled "An act to lay out and establish a State road in the Upper Peninsula, to be known as the Winona and Franklin State road, and to provide for the construction of the same," approved March 16, 1865,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Gifford,	Mr. Seward,
Avery,	Goodrich,	Shaw,
Barnaby,	Grant,	Slayton,
Baxter,	Holt,	Smith,
Beall,	Hubbard,	Snell,
Blake,	Hunt,	Stannard,
Brownell,	Hurlbut,	Stockbridge,
Cameron,	Huston,	Swift,
B. Clark,	Ingersoll,	Vowles,
O. Clark,	L. Kendrick,	Wagner,
Cogshall,	Kingsley,	Walton,
Crane,	Klein,	Ward,
Curry,	Lane,	Wendell,
Dusseau,	McKernan,	Westover,
Eaton,	Mead,	H. G. Williams,
Eek,	Mitchell,	W. D. Williams,
Fenner,	Newman,	Yawkey,
Fuller,	Norton,	Speaker, 54
Gay,		

#### NAYS.

Mr. Bostwick,	Mr. McCowen,	Mr. Rawson,
G. G. Briggs,	Millington,	Sheldon,
R. V. Briggs,	Murray,	Ternes,
Davis,	Osborn,	Walker,
Harris,	Purcell,	Weier,
Hutchinson,	Putnam,	J. A. Williams,
Lee,	Risford,	Woodard,
Mundigo,	Romega,	

23

Title agreed to.

House bill No. 214, entitled

A bill to amend section 1687 of the compiled laws, requiring boards of supervisors to raise an annual tax for the benefit of county agricultural societies,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Cameron moved to amend by striking out the two provisions of the bill;

Which was not agreed to.

Mr. Lee moved to lay the bill on the table;

Which motion did not prevail.

Mr. Cogshall moved to amend by inserting in line 2, of section 1, after the words "sixteen hundred and eighty-seven," the words "of the compiled laws;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Fuller,	Mr. Osborn,
Avery,	Gay,	Purcell,
Barnaby,	Goodrich,	Putnam,
Baxter,	Grant,	Riford,
Beall,	Hubbard,	Sheldon,
Blake,	Hunt,	Smith,
Boetwick,	Hurlbut,	Stannard,
R. V. Briggs,	Hutchinson,	Swift,
Brownell,	Ingersoll,	Ternes,
B. Clark,	L. Kendrick,	Vowles,
O. Clark,	Kingale,	Wagner,
Cogshall,	Klein,	Walker,
Crane,	Lovell,	Walton,
Davis,	McKernan,	Weier,
Dunnean,	Millington,	Wendell,
Eaton,	Mitchell,	H. G. Williams,
Eck,	Murray,	J. A. Williams,
Fenner,	Norton,	53

#### NAYS.

Mr. Boynton,	Mr. Mandigo,	Mr. Slayton,
G. G. Briggs,	McCowen,	Snell,

Cameron,	Mead,	Stockbridge,
Curry,	Miller,	Ward,
Harris,	Newman,	Westover,
Holt,	Romeyn,	W. D. Williams,
Huston,	Rowlson,	Woodard,
Lane,	Seward,	Yawkey,
Lee,	Shaw,	Speaker, 27

Title agreed to.

Mr. Voiles moved that the bill be ordered to take immediate effect;

Which motion did not prevail.

House joint resolution No. 22, entitled

Joint resolution relating to navigation between the United States and Canada,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Harris,	Mr. Putnam,
Avery,	Holt,	Riford,
Barnaby,	Hubbard,	Romeyn,
Blake,	Hunt,	Rowlson,
Bostwick,	Hurlbut,	Seward,
Boynnton,	Hutchinson,	Shaw,
R. V. Briggs,	Ingersoll,	Sheldon,
Brownell,	L. Kendrick,	Smith,
Cameron,	Kingsley,	Snell,
B. Clark,	Klein,	Stannard,
O. Clark,	Lee,	Stockbridge,
Cogshall,	Lovell,	Swift,
Crane,	Mandigo,	Turner,
Curry,	McCowan,	Vowles,
Davis,	McKernan,	Wagner,
Doty,	Mead,	Walker,
Dussean,	Miller,	Walton,
Eaton,	Millington,	Ward,
Eck,	Mitchell,	Weier,
Fennner,	Murray,	Wendell,
Fuller,	Newman,	Westover,
Gay,	Norton,	H. G. Williams,
Goodrich,	Osborn,	W. D. Williams,
Grant,	Purcell,	Speaker, 72

## NAYS.

Mr. J. A. Williams,

1

Title and preamble agreed to.

House bill No. 215, entitled

A bill to amend act No. 76, of the session laws of 1867, entitled "an act for the appointment of a commissioner, to be known as the Swamp Land State Road Commissioner," approved March 21, 1867, by adding six new sections thereto, to stand as sections 14, 15, 16, 17, 18 and 19,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. G. G. Briggs moved that there be a call of the House;  
Which motion prevailed.

## PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members were reported absent without leave:

Messrs. Avery, Beall, Brownell, Crossman, Gifford, Horton, L. Kendrick, Klein, Mead, Plimpton, Sanford, Shier, Slayton, Stewart, Thompson and Wilcox.

Mr. Norton asked and obtained leave of absence for himself, for the afternoon.

On motion of Mr. Yawkey,

The Sergeant-at-Arms was dispatched after the absentees.

The Sergeant-at-Arms announced Mr. Mead at the bar of the House.

On motion of Mr. Yawkey,

Mr. Mead was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Klein at the bar of the House.

On motion of Mr. Goodrich,

Mr. Klein was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Plimpton at the bar of the House.

On motion of Mr. Seward,

Mr. Plimpton was admitted within the bar, rendered an excuse, and took his seat;

The Sergeant-at-Arms announced Mr. Brownell at the bar of the House.

On motion of Mr. Baxter,

Mr. Brownell was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Beall at the bar of the House.

On motion of Mr. Baxter,

Mr. Beall was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Horton at the bar of the House.

On motion of Mr. Rowison,

Mr. Horton was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Stewart at the bar of the House.

On motion of Mr. Boynton,

Mr. Stewart was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Sanford at the bar of the House.

On motion of Mr. Curry,

Mr. Sanford was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Avery at the bar of the House.

On motion of Mr. G. G. Briggs,

Mr. Avery was admitted within the bar, rendered an excuse, and took his seat.

On motion of Mr. Gay,

All further proceedings under the call were dispensed with.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

Mr. Avery,	Mr. Horton,	Mr. Romeyn,
Barnaby,	Hunt,	Rowleson,
Baxter,	Hurlbut,	Seward,
Beall,	Huston,	Shaw,
Blake,	Hutchinson,	Sheldon,
Bostwick,	Ingersoll,	Sickels,
Boynton,	L. Kendrick,	Smith,
G. G. Briggs,	Kingsley,	Stannard,
R. V. Briggs,	Klein,	Stewart,
Brownell,	Lane,	Stockbridge,
Cameron,	Lee,	Swift,
B. Clark,	Lovell,	Ternes,
O. Clark,	Mandigo,	Thompson,
Cogshall,	McCowen,	Vowles,
Crane,	McKernan,	Wagner,
Curry,	Mead,	Walker,
Davis,	Millington,	Walton,
Doty,	Mitchell,	Weier,
Dusseau,	Murray,	Wendell,
Eck,	Newman,	Westover,
Fenner,	Norton,	White,
Fuller,	Osborn,	H. G. Williams,
Gay,	Plimpton,	W. D. Williams,
Gifford,	Parcell,	Woodard,
Goodrich,	Riford,	Yawkey,
Grant,	Riopelle,	Speaker,
Holt,		

79

#### YEA.

Mr. Putnam, Mr. J. A. Williams,

2

Title agreed to.

On motion of Mr. Huston,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 318, entitled

A bill to attach the unorganized counties of Otsego, Crawford, and a portion of Kalkaska, to the townships of South Arm, Torch Lake, Helena and Rapid River,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas andd nays, as follows:

# YEAS.

Mr. Ashley,	Mr. Hurlbut,	Mr. Shaw,
Avery,	Huston,	Sheldon,
Barnaby,	Hutchinson,	Sickels,
Baxter,	Ingersoll,	Smith,
Beall,	L. Kendrick,	Snell,
Blake,	Kingsey,	Stannard,
Boewick,	Lane,	Stewart,
G. G. Briggs,	Lee,	Stockbridge,
R. V. Briggs,	Lovell,	Swift,
Brownell,	Mandigo,	Ternes,
Cameron,	McCowen,	Thompson,
B. Clark,	McKernan,	Vowles,
O. Clark,	Mead,	Wagner,
Cogshall,	Miller,	Walker,
Crane,	Millington,	Walton,
Curry,	Murray,	Weier,
Doty,	Osborn,	Wendell,
Dusseau,	Plimpton,	Westover,
Eck,	Purcell,	White,
Fenner,	Putnam,	Wilcox,
Gay,	Riford,	H. G. Williams,
Gifford,	Riopelle,	J. A. Williams,
Goodrich,	Romeyn,	W. D. Williams,
Grant,	Rowlson,	Woodard,
Holt,	Sanford,	Yawkey,
Horton,	Seward,	Speaker,
Hunt,		

79

# NAYS.

0

Title agreed to.

On motion of Mr. Stockbridge,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.



House bill No. 220, entitled

A bill to organize the township of Greenbush, in the county of Alcona;

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Hunt,	Mr. Sanford,
Avery,	Hurlbut,	Seward,
Barnaby,	Huston,	Shaw,
Baxter,	Hutchinson,	Sheldon,
Beall,	Ingersoll,	Sickels,
Blake,	L. Kendrick,	Smith,
Bostwick,	Kingsley,	Snell,
Boynton,	Klein,	Stannard,
G. G. Briggs,	Lane,	Stockbridge,
R. V. Briggs,	Lee,	Swift,
Brownell,	Lovell,	Ternes,
Cameron,	Mandigo,	Thompson,
B. Clark,	McCowen,	Vowles,
O Clark,	McKernan,	Wagner,
Cogahall,	Mead,	Walker,
Craze,	Miller,	Walton,
Curry,	Millington,	Weier,
Davis,	Murray,	Wendell,
Doty,	Newman,	Westover,
Eck,	Osborn,	White,
Fenner,	Plimpton,	Wilcox,
Fuller,	Purcell,	H. G. Williams,
Gifford,	Putnam,	J. A. Williams,
Goodrich,	Riford,	W. D. Williams,
Grant,	Riopelle,	Woodard,
Holt,	Romeyn,	Yawkey,
Horton,	Rowison,	Speaker, 81

## NAYS.

Title agreed to.

On motion of Mr. Newman,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 79, entitled

A bill to provide for taxing the property of Masonic and Odd Fellows' lodges, and other benevolent societies,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Avery,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
G. G. Briggs,  
R. V. Briggs,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Curry,  
Davis,  
Doty,  
Eck,  
Fenner,  
Fuller,  
Gay,  
Gifford,  
Goodrich,  
Grant,  
Holt,  
Horton,  
Hunt,  
Huribut,

Mr. Huston,  
Ingersoll,  
L. Kendrick,  
Kingsley,  
Klein,  
Lane,  
Lee,  
Lovell,  
Mandigo,  
McCowen,  
McKernan,  
Mead,  
Miller,  
Millington,  
Murray,  
Osborn,  
Plimpton,  
Putnam,  
Riford,  
Riopelle,  
Romeyn,  
Rowison,  
Sanford,  
Seward,  
Shaw,

Mr. Sheldon,  
Sickels,  
Smith,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Vowles,  
Wagner,  
Walker,  
Walton,  
Weier,  
Wendell,  
Westover,  
White,  
Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker,

76

## NAYS.

0

Title agreed to.

On motion of Mr. Baxter,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 77, entitled

A bill to amend section 8 of an act to provide for the incorporation of Masonic lodges, as amended by an act approved March 27, 1867,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Horton,	Mr. Seward,
Avery,	Hunt,	Sheldon,
Barnaby,	Hurlbut,	Sickels,
Baxter,	Huston,	Smith,
Beall,	Ingersoll,	Snell,
Blake,	L. Kendrick,	Stannard,
Bostwick,	Kingsley,	Stewart,
Boynnton,	Kline,	Stockbridge,
G. G. Briggs,	Lane,	Swift,
R. V. Briggs,	Lee,	Ternes,
Brownell,	Lovell,	Thompson,
Cameron,	Mandigo,	Vowles,
B. Clark,	McCowen,	Wagner,
O. Clark,	Mead,	Walton,
Crane,	Miller,	Weier,
Curry,	Millington,	Wendell,
Davis,	Murray,	Westover,
Doty,	Osborn,	White,
Eek,	Plimpton,	Wilcox,
Fenner,	Purcell,	H. G. Williams,
Fuller,	Riford,	J. A. Williams,
Gifford,	Riopelle,	W. D. Williams,
Goodrich,	Romeyn,	Woodard,
Grant,	Rowison,	Yawkey,
Holt,	Sanford,	Speaker, 75

## NAYS.

0

Title agreed to.

On motion of Mr. R. V. Briggs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

## House bill No. 221, entitled

A bill to amend section 1, of act No. 183, of the session laws of 1861, being an act entitled an act to incorporate the public schools of the city of Adrian, approved March 13, 1861,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Horton,	Mr. Seward,
Avery,	Hunt,	Shaw,
Barnaby,	Hurlbut,	Sheldon,
Baxter,	Huston,	Sickels,
Beall,	Hutchinson,	Smith,
Blake,	Ingersoll,	Snell,
Bostwick,	L. Kendrick,	Stannard,
Boynton,	Kingsley,	Stewart,
G. G. Briggs,	Klein,	Stockbridge,
R. V. Briggs,	Lane,	Swift,
Brownell,	Lee,	Ternes,
Cameron,	Mandigo,	Thompson,
B. Clark,	McCowen,	Vowles,
O. Clark,	McKernan,	Walker,
Cogshall,	Mead,	Walton,
Crane,	Miller,	Ward,
Curry,	Millington,	Weier,
Davis,	Murray,	Wendell,
Doty,	Osborn,	White,
Dusseau,	Plimpton,	Wilcox,
Eaton,	Purcell,	H. G. Williams,
Eck,	Putnam,	J. A. Williams,
Fuller,	Riford,	W. D. Williams,
Gifford,	Riopelle,	Woodard,
Goodrich,	Romeyn,	Yawkey,
Grant,	Rowlson,	Speaker,
Holt,	Sanford,	
	NAYS.	80
		0

Title agreed to.

On motion of Mr. Walton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 224, entitled

A bill to change the name of the Agawam Mining Company,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Holt,	Mr. Rowison,
Avery,	Horton,	Sanford,
Barnaby,	Hubbard,	Seward,
Baxter,	Hunt,	Shaw,
Beall,	Hurlbut,	Sheldon,
Blake,	Huston,	Sickels,
Bostwick,	Hutchinson,	Smith,
Boynton,	Ingersoll,	Snell,
G. G. Briggs,	L. Kendrick,	Stannard,
R. V. Briggs,	F. G. Kendrick,	Stewart,
Brownell,	Kingalev,	Stockbridge,
Cameron,	Lane,	Swift,
B. Clark,	Lee,	Ternes,
O. Clark,	Lovell,	Thompeon,
Cogshall,	Mandigo,	Vowles,
Crane,	McCowan,	Walker,
Curry,	McKernan,	Walton,
Davis,	Mead,	Weier,
Doty,	Miller,	Westover,
Dussean,	Millington,	White,
Eaton,	Murray,	Wilcox,
Eck,	Osborn,	H. G. Williams,
Fenner,	Plimpton,	J. A. Williams,
Fuller,	Putnam,	W. D. Williams,
Gay,	Riford,	Yawkey,
Gifford,	Riopelle,	Speaker,
Grant,	Romeyn,	
	NAYS.	80

Mr. Klein, 1

Title agreed to.

On motion of Mr. McKernan,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

## MESSAGE FROM THE SENATE.

By unanimous consent, the Speaker announced the following:

SENATE CHAMBER, }  
*Lansing, March 16, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 216, entitled

A bill to provide for the transfer of the right, title and interest of the State in and to certain lands granted by Congress, to aid in the construction of a railroad from Grand Rapids to Traverse Bay;

Which has passed the Senate, by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

House bill No. 228, entitled

A bill to lay out and establish a State swamp land road from the north-east corner of township 3 N., R. 16 W., in Allegan county, east along the town lines of Manlius, Fillmore, Overisel and Heath, in said county, to the Allegan and Holland road running from Allegan, in Allegan county, to Holland, in Ottawa county,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Stockbridge moved to amend line 3, of section 1, by inserting after the word "of," the words "section three;" also, in line 4, by inserting after the word "of," "Sangatuck and Lake-town," and striking out "and Overisel;" also, by striking out all of line 5, and "Ottawa county," in line 6, and inserting in lieu thereof, "to the east town line of said township of Fillmore;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,  
Avery,

Mr. Horton,  
Hubbard,

Mr. Rowson,  
Sanford,

Barnaby,	Hunt,	Seward,
Baxter,	Huston,	Shaw,
Beall,	Hutchinson,	Sickels,
Blake,	Ingersoll,	Snell,
Boynton,	L. Kendrick,	Stannard,
G. G. Briggs,	F. G. Kendrick,	Stewart,
R. V. Briggs,	Kingsley,	Stockbridge,
Brownell,	Klein,	Swift,
Cameron,	Lane,	Ternes,
B. Clark,	Mandigo,	Thompson,
O. Clark,	McCowen,	Vowles,
Cogshall,	McKernan,	Walker,
Crane,	Mead,	Walton,
Curry,	Miller,	Ward,
Dusseau,	Millington,	Wendell,
Eck,	Mitchell,	Westover,
Fenner,	Newman,	Wilcox,
Gay,	Norton,	H. G. Williams,
Gifford,	Plimpton,	W. D. Williams,
Goodrich,	Purcell,	Yawkey,
Grant,	Riopelle,	Speaker,
Holt,	Romeyn,	

71

## NAYS.

Mr. Davis,	Mr. Putnam,	Mr. Weier,
Murray,	Riford,	J. A. Williams,
Osborn,	Sheldon,	

8

Mr. Stockbridge moved to amend the title by striking out the words "Overisel and Heath," and inserting the words "Saugatuck, Laketown" before the word "Manlius," and insert the word "and" between "Manlius" and "Fillmore;"

Which was agreed to.

The title, as amended, was agreed to.

Senate bill No. 94, entitled

A bill making an appropriation for the State Normal School,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Hubbard,	Mr. Rowson,
Avery,	Hunt,	Sanford,
Barnaby,	Huston,	Seward,

Baxter,	Hutchinson,	Shaw,
Beall,	Ingersoll,	Sheldon,
Blake,	L. Kendrick,	Snell,
Brownell,	F. G. Kendrick,	Stannard,
G. G. Briggs,	Kingsley,	Stewart,
Brownell,	Klein,	Stockbridge,
Cameron,	Lane,	Swift,
B. Clark,	Lovell,	Ternes,
O. Clark,	Mandigo,	Thompson,
Oogshall,	McCowen,	Vowles,
Crane,	McKernan,	Walker,
Curry,	Mead,	Walton,
Davis,	Miller,	Ward,
Doty,	Millington,	Weier,
Dusseau,	Mitchell,	Wendell,
Eck,	Newman,	Westover,
Gay,	Norton,	White,
Gifford,	Osborn,	Wilcox,
Goodrich,	Purcell,	H. G. Williams,
Grant,	Putnam,	J. A. Williams,
Harris,	Riford,	W. D. Williams,
Holt,	Riopelle,	Yawkey,
Horton,	Romeyn,	Speaker, 78
	NAYS.	0

Title agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 229, entitled

A bill to amend act No. 350, of the session laws of 1865, entitled "An act to protect fish and preserve the fisheries of this State," approved March 21, 1865, by adding two sections, to stand as sections 10 and 11 of said act,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Ingersoll moved to amend by inserting in line 3, of section 10, after the word "obstruction," the words "or filth,"

Which was agreed to.



The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

<b>Mr. Ashley,</b>	<b>Mr. Horton,</b>	<b>Mr. Sanford,</b>
Avery,	Hubbard,	Shaw,
Barnaby,	Hurlbut,	Sheldon,
Baxter,	Huston,	Shier,
Beall,	Hutchinson,	Smith,
Blake,	Ingersoll,	Snell,
Boynton,	F. G. Kendrick,	Stannard,
G. G. Briggs,	Kingalev,	Stewart,
Brownell,	Klein,	Stockbridge,
Cameron,	Lane,	Swift,
B. Clark,	Lovell,	Thompson,
O. Clark,	McCowen,	Vowles,
Cogahall,	McKernan,	Wagner,
Crane,	Mead,	Walker,
Curry,	Miller,	Walton,
Davis,	Mullington,	Ward,
Doty,	Norton,	Weier,
Dussseau,	Osborn,	Wendell,
Eck,	Plimpton,	White,
Fuller,	Parcell,	Wilcox,
Gifford,	Putnam,	H. G. Williams,
Goodrich,	Riford,	J. A. Williams,
Grant,	Riopelle,	W. D. Williams,
Harris,	Romeyn,	Speaker, 72
	NAYS.	

**Mr. Hunt,**

1

Title agreed to.

On motion of Mr. Wendell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By unanimous consent, the committee on internal improvements submitted the following report:

The committee on internal improvements, to whom was referred Senate bill No. 216, entitled

A bill to provide for the transfer of the right, title and interest of the State in and to certain lands granted by Congress,

to aid in the construction of a railroad from Grand Rapids to Traverse Bay,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

R. B. SMITH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Stockbridge,

The rules were suspended, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Blake,  
Bostwick,  
G. G. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Curry,  
Davis,  
Doty,  
Dussean,  
Fenner,  
Fuller,  
Gay,  
Gifford,  
Goodrich,

Mr. Grant,  
Hunt,  
Hurlbut,  
Huston,  
Ingersoll,  
L. Kendrick,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lane,  
Lee,  
Lovell,  
McCowen,  
McKernan,  
Mead,  
Miller,  
Millington,  
Murray,  
Norton,  
Osborn,  
Plimpton,  
Putnam,

Mr. Riford,  
Riopelle,  
Romeyn,  
Rowlson,  
Sanford,  
Shaw,  
Shier,  
Smith,  
Snell,  
Stockbridge,  
Swift,  
Thompson,  
Vowles,  
Wagner,  
Walker,  
Walton,  
Weier,  
Westover,  
J. A. Williams,  
W. D. Williams,  
Yawkey,  
Speaker, 66

## NAYS.

Mr. Beall,	Mr. Purcell,	Mr. Wendell,
Eck,	Stannard,	White,
Harris,	Stewart,	H. G. Williams,
Hutchinson,	Ward,	Woodard, 12

Pending the announcement of the vote,

Mr. Gifford moved that Mr. Ward be excused from voting;

Which motion did not prevail.

Mr. Ward then voted as recorded above.

Title agreed to.

On motion of Mr. Stockbridge,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 280, entitled

A bill to prevent the obstruction of the free passage of fish along the streams and inland rivers, by the interposition of fish weirs, weir dams or weir nets,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Huston,	Mr. Sheldon,
Avery,	Hutchinson,	Shier,
Barnaby,	Ingersoll,	Smith,
Baxter,	F. G. Kendrick,	Snell,
Beall,	Kingsley,	Stannard,
Blake,	Klein,	Stewart,
Bostwick,	Lane,	Stockbridge,
R. V. Briggs,	Lee,	Swift,
B. Clark,	Lovell,	Ternes,
O. Clark,	Mandigo,	Thompson,
Curry,	McCowan,	Vowles,
Davis,	McKernan,	Wagner,
Doty,	Mead,	Walker,
Dussean,	Müller,	Walton,
Eaton,	Millington,	Ward,
Fenner,	Mitchell,	Weier,
Fuller,	Murray,	Westover,
Gay,	Newman,	White,

Gifford,	Osborn,	Wilcox,
Goodrich,	Putnam,	H. G. Williams,
Grant,	Riford,	J. A. Williams,
Horton,	Romeyn,	W. D. Williams,
Hubbard,	Rowlson,	Woodard,
Hunt,	Sanford,	Yawkey,
Hurlbut,	Shaw,	Speaker, 75
	NAYS.	0

Title agreed to.

On motion of Mr. Miller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 232, entitled

A bill to amend an act entitled an act to authorize fractional school district No. 8, of the townships of Antwerp and Porter, in the county of Van Buren, to organize a graded school, and to pledge the credit of said school district for the purpose of building a union school-house,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

# YEAS.

Mr. Ashley,	Mr. Horton,	Mr. Rowlson,
Avery,	Hubbard,	Sanford,
Barnaby,	Hutchinson,	Shaw,
Baxter,	Huston,	Shier,
Beall,	Ingersoll,	Smith,
Blake,	F. G. Kendrick,	Snell,
Bostwick,	Kingsley,	Stannard,
Boynton,	Klein,	Stewart,
G. G. Briggs,	Lane,	Stockbridge,
R. V. Briggs,	Lee,	Swift,
B. Clark,	Lovell,	Ternes,
O. Clark,	Mandigo,	Thompson,
Crane,	McCowen,	Vowles,
Curry,	McKernan,	Wagner,
Davis,	Mead,	Walker,
Doty,	Miller,	Walton,
Eaton,	Millington,	Weier,
Eck,	Murray,	White,

Fenner,	Newman,	Wilcox,	
Fuller,	Osborn,	H. G. Williams,	
Gay,	Purcell,	J. A. Williams,	
Goodrich,	Putnam,	Woodard,	
Grant,	Riford,	Yawkey,	
Harris,	Romeyn,	Speaker,	72
	NAYS.		0

Title agreed to.

On motion of Mr. Baxter,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 233, entitled

A bill to authorize the school board of fractional school district No. 1, of the townships of Paw Paw and Antwerp, to convey real estate,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ashley,	Mr. Hubbard,	Mr. Shaw,
Avery,	Hunt,	Sheldon,
Barnaby,	Hurlbut,	Shier,
Baxter,	Huston,	Smith,
Beall,	Hutchinson,	Snell,
Blake,	Ingersoll,	Stannard,
Bostwick,	F. G. Kendrick,	Stewart,
Boynton,	Kingsley,	Stockbridge,
G. G. Briggs,	Klein,	Swift,
Brownell,	Lane,	Tarnes,
Cameron,	Lee,	Thompson,
B. Clark,	Lovell,	Vowles,
O. Clark,	Mandigo,	Wagner,
Cogshall,	McCowen,	Walker,
Crane,	McKernan,	Walton,
Curry,	Millington,	Weier,
Davis,	Mitchell,	Wendell,
Doty,	Murray,	Westover,
Eaton,	Norton,	White,
Eck,	Osborn,	Wilcox,
Fenner,	Purcell,	H. G. Williams,
Fuller,	Putnam,	J. A. Williams,

Gay,  
Goodrich,  
Grant,  
Harris,  
Horton,

Riford,  
Romeyn,  
Rowlson,  
Sanford,

W. D. Williams,  
Woodard,  
Yawkey,  
Speaker,

79

NAYS.

0

Mr. Baxter moved to amend the title by inserting after the word "Antwerp," the words "in the county of Van Buren;"

Which motion prevailed.

The title, as amended, was agreed to.

On motion of Mr. Baxter,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 234, entitled

A bill to amend section 1, of act No. 286, of the session law of 1867, entitled "an act to authorize dissection in certain cases, for the advancement of science,"

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Cogshall moved to amend by prefixing to the bill an enacting clause, to read as follows:

"SECTION 1. *The People of the State of Michigan enact*, That section 1, of act 186, of the session laws of 1867, entitled an act to authorize dissection in certain cases, for the advancement of science, be and the same is hereby amended, so as to read as follows;"

Which was agreed to.

Mr. Lee moved to lay the bill on the table;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,  
Avery,  
Baxter,

Mr. Hurlbut,  
Hutchinson,  
Kingsley,

Mr. Sanford,  
Sheldon,  
Smith,

Blake,  
Boynton,  
R. V. Briggs,  
Brownell,  
Cameron,  
Doty,  
Eaton,  
Eck,  
Fuller,  
Gay,  
Gifford,  
Goodrich,  
Grant,  
Holt,  
Hunt,

Klein,  
Lane,  
Mandigo,  
McCowen,  
McKernan,  
Mead,  
Mitchell,  
Osborn,  
Plimpton,  
Putnam,  
Riford,  
Riopelle,  
Romeyn,  
Rowlson,

Snell,  
Stockbridge,  
Swift,  
Tarnes,  
Thompson,  
Vowles,  
Wagner,  
Ward,  
Westover,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker,

52

## NAYS.

Mr. Barnaby,  
Beall,  
Bostwick,  
G. G. Briggs,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Curry,  
Davis,  
Fenner,  
Harris,

Mr. Horton,  
Hubbard,  
Huston,  
Ingersoll,  
L. Kendrick,  
F. G. Kendrick,  
Lee,  
Miller,  
Millington,  
Newman,  
Norton,

Mr. Purcell,  
Shaw,  
Shier,  
Stannard,  
Stewart,  
Walton,  
Wier,  
Wendell,  
White,  
Wilcox,  
H. G. Williams,

34

Pending the announcement of the vote,

Mr. Ward moved that Mr. Ingersoll be excused from voting;  
Which motion did not prevail.

Mr. Ingersoll then voted as recorded above.

Pending the announcement of the vote,

Mr. Miller moved that Mr. Cogshall be excused from voting;  
Which motion did not prevail.

Mr. Cogshall then voted as recorded above.

The title was agreed to.

Mr. Ward moved that the bill be ordered to take immediate  
effect;

Which motion did not prevail.

House joint resolution No. 23, entitled

Joint resolution relative to the distribution of the laws, journals, documents and joint documents of the session of the Legislature of the year 1869,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Hubbard,	Mr. Seward,
Avery,	Hunt,	Shaw,
Barnaby,	Hurlbut,	Sheldon,
Baxter,	Hutchinson,	Shier,
Blake,	Ingersoll,	Smith,
Bostwick,	L. Kendrick,	Snell,
Boynon,	F. G. Kendrick,	Stannard,
G. G. Briggs,	Kingsley,	Stewart,
R. V. Briggs,	Klein,	Stockbridge,
Brownell,	Lane,	Swift,
Cameron,	Lee,	Ternes,
B. Clark,	Lovell,	Thompson,
Cogshall,	Mandigo,	Vowles,
Curry,	McCowen,	Wagner,
Davis,	Mead,	Walker,
Doty,	Miller,	Walton,
Eaton,	Millington,	Ward,
Eck,	Murray,	Weier,
Fenner,	Newman,	Wendell,
Fuller,	Osborn,	White,
Gay,	Plimpton,	Wilcox,
Gifford,	Putnam,	H. G. Williams,
Goodrich,	Riford,	Woodard,
Grant,	Riopelle,	Yawkey,
Harris,	Romeyn,	Speaker,
Horton,	Rowlson,	

77

NAYS.

0

Title agreed to.

House joint resolution No. 24, entitled

Joint resolution to authorize the Governor to convey certain State lands to Henry A. Shaw, of Eaton county, as the grantee of Daniel J. Spencer,



Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

<b>Mr. Ashley,</b>	<b>Mr. Hubbard,</b>	<b>Mr. Romeyn,</b>
Avery,	Hunt,	Rowlson,
Baxter,	Hurlbut,	Seward,
Blake,	Huston,	Shaw,
Bostwick,	Ingersoll,	Sheldon,
Boynston,	L. Kendrick,	Shier,
R. V. Briggs,	F. G. Kendrick,	Snell,
Cameron,	Kingsley,	Stewart,
B. Clark,	Klein,	Stockbridge,
O. Clark,	Lane,	Swift,
Cogshall,	Lee,	Ternes,
Crane,	Lovell,	Thompson,
Curry,	McCowen,	Vowles,
Davis,	McKernan,	Wagner,
Doty,	Mead,	Walker,
Eaton,	Miller,	Wendell,
Eck,	Millington,	Westover,
Fenner,	Mitchell,	White,
Gay,	Murray,	Wilcox,
Gifford,	Newman,	H. G. Williams,
Goodrich,	Plimpton,	J. A. Williams,
Grant,	Purcell,	W. D. Williams,
Harris,	Putnam,	Woodward,
Holt,	Riford,	Yawkey,
Horton,	Riopelle,	Speaker, 75

## NAYS.

**Mr. Barnaby,** 1

Title and preamble agreed to.

On motion of Mr. Avery,

The House adjourned until to-morrow morning at 9 o'clock.

---

*Lansing, Wednesday, March 17, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Straub.

Roll called: quorum present.

Absent without leave: Mr. Davis.

Mr. Murray asked and obtained leave of absence for Mr. Davis, until Friday.

#### PRESENTATION OF PETITIONS.

By Mr. R. V. Briggs: petition of John F. W. Thon, H. M. Bal-lane and 27 others, asking for the passage of the "mechanic's lien law," now pending before the Legislature.

Referred to the committee on State affairs.

By Mr. Ward: petition of R. G. McKee and 20 others, citi-zens of Laingsburg, Shiawassee county, asking for an amend-ment to the charter of the city of Owosso.

Referred to the committee on banks and incorporations.

By Mr. Yawkey: remonstrance of B. M. Fay and 249 others, against detaching any portion of the territory of East Saginaw, and adding it to the town of Spaulding.

On motion of Mr. Yawkey,

The petition was laid on the table.

Mr. Ward moved to reconsider the vote by which the House passed House bill No. 200, entitled

A bill to reorganize the township of Caledonia, in the county of Shiawassee;

Which motion prevailed.

The question being upon the passage of the bill, pending the taking of the vote thereon,

Mr. Ward moved to amend by striking out in line 2, of sec-tion 1, the word "city," and inserting in lieu thereof the word "cities," and after the word "Corunna," insert the words "or Owosso;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,  
Avery,  
Baxter,  
Beall,  
Blake,

Mr. Hunt,  
Hutchinson,  
Ingersoll,  
L. Kendrick,  
F. G. Kendrick,

Mr. Sheldon,  
Shier,  
Sickels,  
Smith,  
Snell,

Bostwick,	Kingsley,	Stannard,
G. G. Briggs,	Klein,	Stewart,
R. V. Briggs,	Lee,	Stockbridge,
Brownell,	Lovell,	Swift,
Cameron,	Mandigo,	Ternes,
B. Clark,	McCowen,	Thompson,
O. Clark,	McKernan,	Vowles,
Cogahall,	Miller,	Walker,
Crane,	Millington,	Walton,
Curry,	Mitchell,	Ward,
Doty,	Murray,	Weier,
Eck,	Norton,	Wendell,
Fenner,	Osborn,	Westover,
Fuller,	Purcell,	White,
Gay,	Putnam,	H. G. Williams,
Gifford,	Riford,	J. A. Williams,
Goodrich,	Romeyn,	W. D. Williams,
Grant,	Rowlson,	Woodard,
Harris,	Seward,	Yawkey,
Holt,	Shaw,	Speaker,
Hubbard,		

76

NAYS.

0

Title agreed to.

On motion of Mr. Ingersoll,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

#### REPORTS OF STANDING COMMITTEES.

By the committee on drainage:

The committee on drainage, to whom was referred Senate bill No. 156, being in fact a compromise consolidation of Senate bill No. 156 and House bill No. 130, being

A bill to provide for the draining of swamps, marshes and other low lands,

Would respectfully report that they have had the same under consideration, and inasmuch as in their opinion, it combines as far as it is possible to do in any one bill, the various views and wishes of all the friends of a safe, economical and effective county drainage law, making the office either elective, or to be nominated by the board of supervisors and appointed by a court of record, as the people may desire, and further, placing

it within the power of the people of every county in the State to have, or not to have, drainage commissioners, just as they may themselves elect; and further, providing that drains may be laid out and constructed, either with or without jury expenses, just as those interested in the matter may themselves prefer; thus making it, in every respect, as your committee believe, an improvement upon the former detached laws upon this important, and to many parts of the State, most important matter. And inasmuch as the highway commissioner drainage laws, though very desirable for certain purposes, could not so adequately, nor, indeed, economically, provide for the construction of those larger drains, involving, oftentimes, several different towns in one continuous system of drainage.

Your committee would, therefore, unanimously recommend that it do pass, without amendment, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Acting Chairman.*

Report accepted and committee discharged.

Mr. Baxter moved that the rules be suspended, and the bill be placed upon its immediate passage.

Mr. Huston moved that the bill be laid on the table, and printed in the journal;

Which motion did not prevail.

On motion of Mr. Cogshall,

The bill was laid on the table.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate bill No. 89, being

A bill to provide a tax for the expenses of the State government,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to provide for a uniform assessment of property, and for the collection and return of taxes thereon,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Holt,

The bill was laid on the table and ordered printed.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for a State swamp land road from Moreville, in the county of Washtenaw, and along the county line between the counties of Monroe and Lenawee, to the Ohio State line,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without further recommendation, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, Jr., *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to prevent animals from trespassing,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the

House with the accompanying substitute therefor, entitled "A bill to prevent animals from trespassing," recommending that the substitute be concurred in, and without further recommendation, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. R. V. Briggs,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill appropriating ten sections of State swamp lands, to aid in constructing a wagon road in the county of Van Buren,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill appropriating ten sections of State swamp lands, to aid in constructing a wagon road in the county of Van Buren,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

On motion of Mr. McKernan,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend act No. 188, entitled "An act to amend section 1, of chapter 70, of the revised statutes of 1846, being sec-

tion 2877, of chapter 94, of the compiled laws, entitled 'Of the administration and distribution of estates of deceased persons,'"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Miller,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on agriculture:

The committee on agriculture, to whom was referred

A bill to prevent the introduction of contagious diseases in cattle,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to prevent the introduction of contagious diseases in cattle,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

E. T. LOVELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. McKernan,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred House bill No. 206, entitled

A bill to amend sections 2 and 3, of act number 150, of session laws of 1861, entitled "An act to amend chapter 23 of the compiled laws, relative to obstructions and encroachments of highways,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. McCowen,

The House concurred in the amendment made to the bill by the committee.

On motion of Mr. Shier,

The bill was placed on the order of third reading.

MESSAGES FROM THE SENATE

The Speaker announced the following:

SENATE CHAMBER, }  
Lansing, March 16, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 150, entitled

A bill to limit the operation of the first proviso to an act approved March 27, 1867, to amend section 1 of an act entitled "An act relative to laying out, altering and discontinuing highways," approved March 15th, 1861;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*



The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 16, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 51, entitled

A bill to amend section 30, of chapter 10, of the compiled laws, in relation to the compensation of members of boards of supervisors;

And to inform the House that the Senate has amended the same as follows:

1. By striking out in line 1, of section 1, the word "thirty," and inserting in place thereof the words "three hundred and sixty-four;"

2. By adding at the end of recited section 30, the words "and any supervisor receiving any further or other compensation for such services shall be guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine of not less than one hundred dollars, nor more than five hundred dollars;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. L. Kendrick moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Beall,  
Blake,

Mr. Gifford,  
Grant,  
Hartson,  
Hunt,  
Hurlbut,  
Huston,

Mr. Riford,  
Riopelle,  
Romeyn,  
Rowson,  
Seward,  
Stannard,

Postwick,  
 Boynton,  
 G. G. Briggs,  
 Brownell,  
 Cameron,  
 B. Clark,  
 O. Clark,  
 Crossman,  
 Curry,  
 Doty,  
 Eaton,  
 Ek,  
 Fenner,  
 Fuller,  
 Gay,

Hutchinson,  
 L. Kendrick,  
 F. G. Kendrick,  
 Kingsley,  
 Klein,  
 Lee,  
 Lovell,  
 Mandigo,  
 McCowen,  
 Miles,  
 Millington,  
 Mitchell,  
 Osborn,  
 Putnam,

Stockbridge,  
 Swift,  
 Thompson,  
 Wagner,  
 Walker,  
 Weier,  
 Wendell,  
 Westover,  
 Wilcox,  
 H. G. Williams,  
 J. A. Williams,  
 W. D. Williams,  
 Woodard,  
 Speaker,

61

### NAYS.

Mr. R. V. Briggs,  
 Goodrich,  
 Harris,  
 Holt,  
 Horton,  
 Hubbard,  
 Murray,

Mr. Newman,  
 Norton,  
 Purcell,  
 Shaw,  
 Sheldon,  
 Shier,  
 Sickels,

Mr. Smith,  
 Snell,  
 Stewart,  
 Ternes,  
 Walton,  
 White,  
 Yawkey,

21

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
 Lansing, March 16, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Whereas, The tenure of office law was a piece of anomalous legislation, rendered necessary by the peculiar and unfortunate condition of the Presidential office during the past three years;*

*And whereas, The necessity in question has now ceased to exist; therefore,*

*Resolved, by the Senate and House of Representatives of the State of Michigan, That our Senators and Representatives in Congress be and are hereby requested to vote for the repeal of said law at the earliest practicable moment;*

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Shaw moved that the House concur in the adoption of the resolution.

On motion of Mr. Ingersoll,

The concurrent resolution was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 16, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House bill No. 63, entitled

A bill making appropriation for the support of the State Agricultural College, to pay the expenses of the State Board of Agriculture, and for the erection of a new building for the State Agricultural College;

2 House bill No. 150, entitled

A bill to provide for the payment of Porter L. Swords, of the city of Adrian, Lenawee county, for furnishing money to certain volunteers credited to the township of Woodstock, in said county, to aid in the suppression of the rebellion,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 16, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following joint resolution:

Senate joint resolution No. 16, entitled

Joint resolution asking an appropriation to aid the Geological survey of the State;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 16, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 95, entitled

A bill to provide for the laying out and establishing the Juniata branch of the Port Sanilac and Tuscola State road,

And to inform the House that the Senate has amended the same by inserting before the word "Governor," in line 2 of section 1, the words "His Excellency."

The Senate has also amended the title by striking out the word "Juniata," and inserting in place thereof, the word "Fremont."

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. L. Kendrick moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Hartson,	Mr. Osborn,
Avery,	Holt,	Purcell,
Barnaby,	Hubbard,	Romeyn,
Baxter,	Huston,	Shaw,
Beall,	Hutchinson,	Sickels,
Blake,	Ingersoll,	Snell,
Bostwick,	L. Kendrick,	Stannard,
G. G. Brigga,	Kingsley,	Stockbridge,
Brownell,	Klein,	Swift,
Cameron,	Lee,	Ternes,
Cogshall,	Lovell,	Weier,
Crossman,	Mandigo,	Westover,
Curry,	McCowen,	White,
Eaton,	Mead,	Wilcox,
Fuller,	Miller,	H. G. Williams,
Gay,	Millington,	Woodard,
Gifford,	Mitchell,	Yawkey,
Goodrich,	Murray,	Speaker,
Grant,		

55

## NAYS.

Mr. R. V. Briggs,	Mr. Newman,	Mr. Smith,
B. Clark,	Norton,	Stewart,
O. Clark,	Putnam,	Thompson,
Doty,	Riford,	Wagner,
Eck,	Riopelle,	Walker,
Fenner,	Seward,	Ward,
Harris,	Sheldon,	J. A. Williams,
Hurlbut,	Shier,	W. D. Williams,
F. G. Kendrick,		

25

The House agreed to the amendment made to the title of the bill by the Senate.

On motion of Mr. Stewart,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 16, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House manuscript bill, entitled

A bill to legalize the action of the board of supervisors of Ingham county, in discontinuing a certain piece of State road,

In the passage of which the Senate has concurred, by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March, 16, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate manuscript bill, entitled

A bill to amend the charter of the village of Jonesville;

2. Senate bill No. 147, entitled

A bill to provide for the vacating of cemetery plats and cemetery grounds lying within the incorporated limits of cities;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The second named bill was read a first and second time by its title, and referred to the committee on State affairs.

### THIRD READING OF BILLS.

Mr. Miller, by unanimous consent, moved to discharge the committee of the whole from the further consideration of House bill No. 212, entitled

A bill to amend sections 1, 6, 11 and 20 of an act entitled "An act to incorporate the village of Mt. Clemens," approved April 4, 1851;

Which motion prevailed.

Mr. Miller moved to amend line 4, of recited section 1, by striking out the word "westerly;" also, by inserting after the word Rose, in line 9 of same section, "'s land;" also, by striking out in lines 39 and 40, of recited section 6, the words "town, county and State;" also, by striking out in line 2, of recited section 20, the word "of," and inserting "not exceeding" in lieu thereof;

Which were agreed to.

On motion of Mr. Miller,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

### YEAS.

Mr. Avery,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
Boynton,  
G. G. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crossman,  
Curry,  
Doty,

Mr. Hutchinson,  
Ingersoll,  
L. Kendrick,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lee,  
Lovell,  
Mandigo,  
McCowen,  
Mead,  
Miles,  
Miller,  
Millington,  
Mitchell,

Mr. Shaw,  
Sheldon,  
Shier,  
Sickles,  
Smith,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Vowles,  
Wagner,  
Walker,  
Walton,

Eaton,  
Eck,  
Fenner,  
Gay,  
Goodrich,  
Grant,  
Harris,  
Hartson,  
Holt,  
Horton,  
Hubbard,  
Hurlbut,

Murray,  
Newman,  
Norton,  
Osborn,  
Purcell,  
Riford,  
Riopelle,  
Romeyn,  
Rowson,  
Sanford,  
Seward,

Ward,  
Weier,  
Westover,  
White,  
Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker,

79

0

NAYS.

Title agreed to.

On motion of Mr. Miller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Boynton, by unanimous consent, moved to take from the table Senate manuscript bill, entitled

A bill to reorganize the sixth and create the sixteenth judicial circuit;

Which motion prevailed.

On motion of Mr. Boynton,

The bill was placed on its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Curry moved that the bill be laid on the table;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,  
Baxter,  
Beall,  
Blake,  
Boynton,  
G. G. Briggs,  
R. V. Briggs,  
Cameron,  
B. Clark,  
O. Clark,

Mr. Hurlbut,  
Ingersoll,  
F. G. Kendrick,  
Kingsley,  
Lane,  
Lee,  
McKernan,  
Mead,  
Miles,  
Miller,

Mr. Shaw,  
Sheldon,  
Shier,  
Slayton,  
Smith,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,



Cogshall,	Millington,	Ternes,
Crane,	Mitchell,	Thompson,
Crossman,	Murray,	Vowles,
Doty,	Newman,	Wagner,
Dusseau,	Osborn,	Weier,
Eaton,	Plimpton,	Wendell,
Eck,	Purcell,	Westover,
Fenner,	Putnam,	White,
Fuller,	Riford,	Wilcox,
Gay,	Riopelle,	H. G. Williams,
Gifford,	Romeyn,	W. D. Williams,
Goodrich,	Rowlson,	Woodard,
Grant,	Sanford,	Yawkey,
Hartson,	Seward,	Speaker,
Hunt,		

73

## NAYS.

Mr. Avery,	Mr. Hubbard,	Mr. McCowen,
Barnaby,	Huston,	Norton,
Bostwick,	Hutchinson,	Walker,
Harris,	L. Kendrick,	Walton,
Horton,	Lovell,	J. A. Williams,

15

Pending the announcement of the vote,

Mr. Wilcox moved that Mr. Brownell be excused from voting;

Which motion prevailed.

Title agreed to.

On motion of Mr. Boynton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Smith, by unanimous consent, moved to take from the table House bill No. 145, entitled

A bill to enable any township or city to pledge their credit to aid in the construction of any railroad heretofore chartered or organized, or that may be hereafter organized, under and by virtue of the laws of the State of Michigan;

Which motion prevailed.

The question being upon concurring in the amendments made to the bill by the Senate,

Mr. Horton moved to amend the Senate amendments by adding to section 10, the following:

*"And provided further, That any railroad company having located their road through or adjacent to any city, town or municipality, and having received bonds or money from said city, town or municipality, in aid of such railroad company, such railroad company shall not take up or change the location of their road, to the disadvantage or injury of the cities, towns or municipalities donating aid, unless the aid so donated and received by such railroad company shall first be refunded."*

Mr. Cogshall moved to amend the amendment by striking out the words "to the disadvantage or injury of," and inserting in lieu thereof, "without the consent of;"

Which motion did not prevail.

The amendment offered by Mr. Horton was not agreed to.

The motion to concur in the amendments made to the bill by the Senate then prevailed, by yeas and nays, as follows:

#### YEAS.

Mr. Avery,	Mr. Horton,	Mr. Shaw,
Barnaby,	Hubbard,	Sheldon,
Baxter,	Hunt,	Sickels,
Beall,	Hurlbut,	Slayton,
Blake,	Huston,	Smith,
Bostwick,	Hutchinson,	Snell,
Boynton,	Ingersoll,	Stewart,
G. G. Briggs,	Kingsley,	Stockbridge,
Brownell,	Lane,	Swift,
Cameron,	Lee,	Ternes,
B. Clark,	Lovell,	Thompson,
Crossman,	McCowen,	Vowles,
Doty,	McKernan,	Wagner,
Dusseau,	Mead,	Walker,
Eaton,	Miles,	Walton,
Eck,	Miller,	Ward,
Fenner,	Newman,	Wendell,
Fuller,	Osborn,	Westover,
Gay,	Plimpton,	Wilcox,
Gifford,	Purcell,	H. G. Williams,
Goodrich,	Riford,	W. D. Williams,
Grant,	Romeyn,	Woodard,
Harris,	Rowison,	Kawkey,
Hartson,	Sanford,	Speaker,
Holt,	Seward,	

## NAYS.

Mr. R. V. Briggs,	Mr. Mitchell,	Mr. Stannard,
O. Clark,	Murray,	Weier,
Crane,	Norton,	White,
Klein,	Putnam,	J. A. Williams,
Millington,		13

The title, as amended by the Senate, was agreed to.

On motion of Mr. Smith,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

By unanimous consent, the following report was submitted:

The special committee to whom was referred the examination of the heating apparatus connected with this hall, respectfully report that they have made the examination required, and have determined that the evil complained of can be remedied by attaching a sheet iron smoke-pipe to the top of the chimney to which said heating apparatus is connected. The pipe, in the opinion of your committee, will be required to be not less than four feet long, and will cost about \$6.

Your committee further report that a part of the iron rods designed to hold plates of stove together are burned off, and the same can be replaced at a very small expense, and without loss of time in business of this House. The firm of Grove & Whitney, of this city, from whom some of the information was obtained, will, if desired, make the improvements this day.

C. R. MILLINGTON, *Chairman*.

Report accepted and committee discharged.

Mr. Millington, by unanimous consent, offered the following:

*Resolved*, That the committee on supplies be directed to make the improvements connected with the heating apparatus for the use of this hall, in accordance with the report of the special committee on that subject.

Which was adopted.

By unanimous consent, the committee on banks and incorporations submitted the following report:

The committee on banks and incorporations, to whom was referred

A bill to amend an act entitled "an act to amend the laws relative to supplying the city of Detroit with pure and wholesome water," approved February 14, 1853;

Also, petition of Wm. F. Dickinson and 42 others, relative to said city of Detroit;

Have made an amendment to the bill, and recommend that the amendment be concurred in, and that the bill, when so amended, do pass.

DAN'L L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Walker,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By unanimous consent the joint special committee on water works submitted the following report:

The joint special committee on water works to whom was referred Senate bill No. 84, entitled

A bill to create and regulate water companies;

Also, House bill No. 185, entitled

A bill to authorize the formation of companies for the introduction of water into towns, cities and villages in the State of Michigan;

Also, House bill No. 187, entitled

A bill to authorize the formation of companies for the construction of water works in and for incorporated cities and villages, and to authorize such cities and villages to subscribe stock in such companies, and to issue and sell bonds and levy taxes for the payment thereof,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute, entitled

A bill to authorize the formation of companies for the introduction of water into towns, cities and villages in the State of Michigan,

In which your committee have embodied all the points of merit embraced in the three bills, making the substitute satisfactory to all the parties concerned,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

DAN'L L. CROSSMAN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. McKernan,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole and placed on the general order.

House bill No. 236, entitled

A bill to authorize conductors of railroad corporations, while in charge of passenger trains, to perform the duties of special policemen, for the arrest of criminals and other offenders;

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Horton,	Mr. Romeyn,
Avery,	Hurlbut,	Seward,
Baxter,	Huston,	Shaw,
Beall,	Hutchinson,	Sheldon,
Blake,	Ingersoll,	Shier,
Boynton,	Kingsley,	Sickels,
G. G. Briggs,	Klein,	Slayton,
Brownell,	Lane,	Snell,
Cameron,	Lee,	Stannard,
B. Clark,	Lovell,	Stewart,
O. Clark,	Mandigo,	Ternes,
Crane,	McCowan,	Thompson,
Crossman,	McKernan,	Vowles,
Doty,	Mead,	Walker,
Dussean,	Millington,	Walton,
Eaton,	Mitchell,	Ward,

Eck,  
Fenner,  
Fuller,  
Goodrich,  
Grant,  
Holt,

Osborn,  
Purcell,  
Putnam,  
Riford,  
Biopelle,

Weier,  
Wendell,  
Wilcox,  
W. D. Williams,  
Speaker,

64

## NAYS.

Mr. Barnaby,  
R. V. Briggs,

Mr. L. Kendrick,  
Westover,

Mr. H. G. Williams,  
5

Title agreed to.

On motion of Mr. Millington,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. McKernan, by unanimous consent, offered the following:

*Resolved*, That when a bill is passed on the first roll call the clerk may omit the second call of the roll;

Which was adopted.

Senate bill No. 41, entitled

A bill to provide for the construction of a road from Port Austin, in Huron county, to Unionville, in Tuscola county:

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
G. G. Briggs,  
R. V. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Curry,  
Doty,  
Dussean,

Mr. Grant,  
Horton,  
Hubbard,  
Hunt,  
Hurlbut,  
Huston,  
Hutchinson,  
L. Kendrick,  
Kingsley,  
Klein,  
Lane,  
Lee,  
Mandigo,  
McCowen,  
McKernan,  
Mead,  
Miles,  
Miller,

Mr. Shaw,  
Sheldon,  
Sickels,  
Slayton,  
Smith,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Thompson,  
Vowles,  
Wagner,  
Walker,  
Walton,  
Weier,  
Wendell,  
Westover,

Eek,  
Fenner,  
Fuller,  
Gay,  
Gifford,  
Goodrich,

Millington,  
Mitchell,  
Newman,  
Norton,  
Purcell,  
Sanford,

White,  
Wilcox,  
W. D. Williams,  
Yawkey,  
Speaker,

71

## NAYS.

Mr. Lovell,  
Osborn,  
Putnam,

Mr. Riford,  
Rowlson,  
Seward,

Mr. Shier,  
J. A. Williams,

8

Title agreed to.

Senate bill No. 83, entitled

A bill to amend section 7 of act No. 150, session laws of 1865, entitled "an act to incorporate the village of Otsego," approved March 15th, 1865,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Blake,  
Bostwick,  
Boynton,  
G. G. Briggs,  
R. V. Briggs,  
Brownell,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Curry,  
Doty,  
Eek,  
Fenner,  
Fuller,  
Gay,  
Gifford,  
Goodrich,  
Grant,  
Harris,  
Hartson,  
Horton,

Mr. Hunt,  
Huston,  
Hutchinson,  
L. Kendrick,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lane,  
Lee,  
Lovell,  
Mandigo,  
McCowen,  
McKernan,  
Mead,  
Miles,  
Millington,  
Mitchell,  
Osborn,  
Purcell,  
Riford,  
Riopelle,  
Romeyn,  
Rowlson,  
Sanford,  
Seward,

Mr. Shaw,  
Sheldon,  
Shier,  
Sickels,  
Slayton,  
Smith,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Vowles,  
Wagner,  
Walker,  
Walton,  
Weier,  
Wendell,  
Westover,  
White,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker.

76

## NAYS.

0

Title agreed to.

On motion of Mr. Baxter,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 241, entitled

A bill to legalize the action of the school inspectors of the township of Marathon, in Lapeer county, in organizing school district No. 6, in said township of Marathon,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Harris,	Mr. Shaw,
Avery,	Hartson,	Sheldon,
Barnaby,	Horton,	Shier,
Baxter,	Hubbard,	Slayton,
Beall,	Hunt,	Smith,
Blake,	Hutchinson,	Snell,
Bostwick,	L. Kendrick,	Stannard,
Boynton,	F. G. Kendrick,	Stewart,
R. V. Briggs,	Klein,	Stockbridge,
Brownell,	Lane,	Swift,
Cameron,	Lee,	Ternes,
B. Clark,	Lovell,	Vowles,
O. Clark,	Mandigo,	Wagner,
Cogshall,	McCowen,	Walker,
Crane,	McKernan,	Walton,
Crossman,	Mead,	Ward,
Curry,	Miller,	Weier,
Doty,	Millington,	Westover,
Dusseau,	Mitchell,	White,
Eck,	Osborn,	Wilcox,
Fenner,	Purcell,	H. G. Williams,
Fuller,	Putnam,	J. A. Williams,
Gay,	Riford,	Woodard,
Gifford,	Riopelle,	Yawkey,
Goodrich,	Rowlson,	Speaker,
Grant,	Seward,	

77

## NAYS.

0

Title agreed to.

On motion of Mr. Yawkey,



By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 243, entitled

A bill to amend section 4342, of the compiled laws, as the same stands amended by act approved March 11, A. D. 1861,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Horton,

The bill was recommitted to the committee on the judiciary.

House bill No. 244, entitled

A bill to amend an act entitled "an act to amend an act entitled an act to incorporate the village of Tecumseh," being act No. 84, of the session laws of 1859, approved February 9, 1859,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ashley,	Mr. Harris,	Mr. Shaw,
Avery,	Hartson,	Sheldon,
Barnaby,	Holt,	Shier,
Baxter,	Hubbard,	Sickels,
Blake,	Hutchinson,	Slayton,
Bostwick,	Ingersoll,	Smith,
Boytton,	L. Kendrick,	Snell,
G. G. Briggs,	F. G. Kendrick,	Stannard,
R. V. Briggs,	Kingsley,	Stewart,
Brownell,	Klein,	Stockbridge,
Cameron,	Lee,	Swift,
B. Clark,	Lovell,	Ternea,
O. Clark,	Mandigo,	Vowles,
Cogshall,	McCowen,	Wagner,
Crane,	Mead,	Walker,
Crossman,	Miles,	Walton,
Curry,	Miller,	Ward,
Doty,	Millington,	Weier,
Dusseau,	Mitchell,	White,
Eck,	Newman,	H. G. Williams,
Fenner,	Purcell,	J. A. Williams,
Fuller,	Riford,	W. D. Williams,
Gay,	Riopelle,	Woodard,
Gifford,	Rowlson,	Yawkey,
Goodrich,	Sanford,	Speaker,
Grant,	Seward,	

## NAYS.

0

Title agreed to.

On motion of Mr. Baxter,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The Sergeant-at-Arms announced the Private Secretary of the Governor, who transmitted to the House a message from His Excellency, the Governor, in writing.

Senate bill No. 121, entitled

A bill to repeal act No. 186, of the session laws of 1861, entitled "An act to amend act number two hundred, of the session laws of eighteen hundred and fifty-nine, being an act to encourage the manufacture of salt in the State of Michigan," approved Feb. 15, 1859; approved March 15, 1861,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Horton,	Mr. Seward,
Avery,	Hubbard,	Shaw,
Barnaby,	Huston,	Sheldon,
Baxter,	Hutchinson,	Shier,
Blake,	Ingersoll,	Slayton,
Boatwick,	L. Kendrick,	Smith,
Boydton,	F. G. Kendrick,	Snell,
G. G. Briggs,	Kingale,	Stannard,
R. V. Briggs,	Klein,	Stewart,
Brownell,	Lane,	Stockbridge,
Cameron,	Lee,	Swift,
B. Clark,	Lovell,	Ternes,
O. Clark,	McCowan,	Vowles,
Oggsball,	Mead,	Wagner,
Crane,	Miles,	Walker,
Crossman,	Miller,	Walton,
Doty,	Millington,	Ward,
Dusseau,	Mitchell,	Weier,
Eck,	Murray,	Westover,
Fenner,	Newman,	White,
Fuller,	Parcell,	Wilcox,
Gay,	Putnam,	J. A. Williams,
Gifford,	Riford,	W. D. Williams,
Goodrich,	Riopella,	Woodard,
Grant,	Rowlson,	Yawkey,

Harris,  
Hartson,

Sanford,

Speaker,

79

NAYS.

0

Title agreed to.

On motion of Mr. Yawkey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 29, entitled

A bill to declare and establish the practice in charging or instructing juries, and in settling the law in cases tried in circuit courts,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Avery,	Mr. Hartson,	Mr. Sheldon,
Baxter,	Holt,	Shier,
Beall,	Huston,	Sickels,
Blake,	Hutchinson,	Slayton,
Bostwick,	Ingersoll,	Smith,
Boynton,	L. Kendrick,	Snell,
G. G. Briggs,	F. G. Kendrick,	Stannard,
R. V. Briggs,	Kingsley,	Stewart,
Brownell,	Klein,	Stockbridge,
B. Clark,	Lane,	Swift,
O. Clark,	Lee,	Ternes,
Cogshall,	Lovell,	Vowles,
Crane,	Mandigo,	Wagner,
Crossman,	McCowan,	Walker,
Doty,	Mead,	Waltam,
Dusseau,	Millington,	Ward,
Eaton,	Murray,	Weber,
Eck,	Newman,	White,
Fenner,	Purcell,	Wilcox,
Fuller,	Putnam,	J. A. Williams,
Gay,	Riford,	W. D. Williams,
Gifford,	Rowlson,	Woodard,
Goodrich,	Sanford,	Yawkey,
Harris,	Shaw,	Speaker,

72

NAYS.

Mr. Cameron,

Mr. Grant,

Mr. Hubbard,

3

Title agreed to.

Senate bill No. 126, entitled

A bill to authorize school district number three, fractional, of the township of Girard, in the county of Branch, to issue bonds for the purpose of building a school house,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Holt,	Mr. Rowson,
Avery,	Hubbard,	Sanford,
Barnaby,	Huston,	Seward,
Baxter,	Hutchinson,	Shaw,
Beall,	Ingersoll,	Sheldon,
Blake,	L. Kendrick,	Shier,
Bostwick,	F. G. Kendrick,	Sickels,
Boynton,	Kingsley,	Slayton,
G. G. Briggs,	Klein,	Smith,
R. V. Briggs,	Lane,	Snell,
Brownell,	Lee,	Stannard,
Cameron,	Lovell,	Stockbridge,
B. Clark,	Mandigo,	Swift,
O. Clark,	McCowen,	Ternes,
Cogshall,	McKernan,	Vowles,
Crane,	Mead,	Wagner,
Curry,	Miles,	Walker,
Doty,	Miller,	Walton,
Dusseau,	Millington,	Ward,
Eaton,	Mitchell,	Weier,
Eck,	Murray,	Westover,
Fenner,	Newman,	White,
Gay,	Norton,	Wilcox,
Gifford,	Osborn,	W. D. Williams,
Goodrich,	Purcell,	Woodard,
Grant,	Putnam,	Yawkey,
Harris,	Riford,	Speaker,
Hartson,	Riopelle,	

83

## NAYS.

0

Title agreed to.

On motion of Mr. Baxter,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 111, entitled

A bill to amend an act entitled "An act to incorporate the village of Whitehall," approved March 19th, 1867,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Avery,	Mr. Harris,	Mr. Sanford,
Barnaby,	Hartson,	Seward,
Baxter,	Holt,	Shaw,
Beall,	Huston,	Sheldon,
Blake,	Hutchinson,	Sickles,
Bostwick,	Ingersoll,	Slayton,
Boynnton,	L. Kendrick,	Smith,
G. G. Briggs,	F. G. Kendrick,	Snell,
R. V. Briggs,	Klein,	Stannard,
Brownell,	Lane,	Stewart,
Cameron,	Lee,	Stockbridge,
B. Clark,	Lovell,	Swift,
O. Clark,	Mandigo,	Ternes,
Cogshall,	McCowen,	Vowles,
Crane,	Miles,	Wagner,
Curry,	Miller,	Walker,
Doty,	Millington,	Walton,
Dusseau,	Mitchell,	Weier,
Eaton,	Newman,	Westover,
Eck,	Norton,	White,
Fenner,	Osborn,	Wilcox,
Fuller,	Purcell,	J. A. Williams,
Gay,	Putnam,	W. D. Williams,
Gifford,	Riford,	Woodard,
Goodrich,	Riopelle,	Yawkey,
Grant,	Rowlson,	Speaker, 78

## NAYS.

0

Title agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 112, entitled

A bill to amend an act entitled "An act to authorize the formation of gas light companies," approved February 12, 1855,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Hartson,	Mr. Seward,
Avery,	Holt,	Sheldon,

Barnaby,	Horton,	Sickels,
Baxter,	Hubbard,	Slayton,
Blake,	Hurlbut,	Smith,
Boswick,	Huston,	Snell,
Boynnton,	Hutchinson,	Stannard,
Cameron,	Ingersoll,	Stewart,
B. Clark,	L. Kendrick,	Stockbridge,
O. Clark,	Kingale,	Ternes,
Cogahall,	Klein,	Vowles,
Crane,	Lee,	Wagner,
Crossman,	Lovell,	Walker,
Doty,	Mandigo,	Walton,
Dussseau,	McCowan,	Wendell,
Eaton,	Mead,	White,
Eck,	Miller,	Wilcox,
Fenner,	Millington,	H. G. Williams,
Fuller,	Mitchell,	J. A. Williams,
Gay,	Murray,	W. D. Williams,
Gifford,	Newman,	Woodard,
Goodrich,	Putnam,	Yawkey,
Grant,	Rowlson,	Speaker,
Harris,	Sanford,	

71

## NAYS.

Mr. R. V. Briggs,

1

Title agreed to.

On motion of Mr. Stockbridge.

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 86, entitled

A bill to amend section 15, of an act entitled "an act to incorporate the village of Farmington," approved March 25, 1867,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Harris,	Mr. Putnam,
Avery,	Holt,	Rowlson,
Barnaby,	Hubbard,	Sanford,
Baxter,	Hurlbut,	Seward,
Beall,	Huston,	Shaw,
Blake,	Hutchinson,	Sickels,
Bostwick,	Ingersoll,	Smith,
Brownell,	L. Kendrick,	Stewart,
Cameron,	F. G. Kendrick,	Stockbridge,

B. Clark,	Klein,	Ternes,
O. Clark,	Lane,	Vowles,
Cogshall,	Lee,	Wagner,
Crane,	Lovell,	Walker,
Crossman,	Mandigo,	Walton,
Curry,	McCowan,	Wendell,
Doty,	Mead,	Westover,
Dusseau,	Miles,	Wilcox,
Eaton,	Miller,	H. G. Williams,
Eck,	Millington,	J. A. Williams,
Fenner,	Mitchell,	W. D. Williams,
Gay,	Murray,	Woodard,
Gifford,	Newman,	Yawkey,
Goodrich,	Norton,	Speaker,
Grant,	Osborn,	
	NAYS.	71
		0

Title agreed to.

On motion of Mr. Stockbridge,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 95, entitled

A bill to provide for the establishment of polytechnic associations,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Huston,	Mr. Rowson,
Avery,	Hutchinson,	Sanford,
Barnaby,	Ingersoll,	Seward,
Baxter,	L. Kendrick,	Shaw,
Beall,	F. G. Kendrick,	Shier,
Blake,	Kingsley,	Sickles,
Bostwick,	Klein,	Smith,
R. V. Briggs,	Lane,	Stewart,
Cameron,	Lee,	Stockbridge,
B. Clark,	Lovell,	Swift,
O. Clark,	Mandigo,	Ternes,
Cogshall,	McCowan,	Thompson,
Crane,	McKernan,	Vowles,
Curry,	Mead,	Wagner,
Doty,	Miles,	Walker,
Dusseau,	Miller,	Walton,

Eck,  
Fenner,  
Fuller,  
Gay,  
Gifford,  
Goodrich,  
Grant,  
Holt,

Millington,  
Murray,  
Newman,  
Norton,  
Osborn,  
Putnam,  
Riford,  
Riopelle,

NAYS.

Wendell,  
Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Yawkey,  
Speaker,

71

0

Title agreed to.

Senate bill No. 97, entitled

A bill to provide for the safe keeping of public libraries,

Was read a third time and passed, a majority of all the  
members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Barter,  
Beall,  
Blake,  
Bostwick,  
G. G. Briggs,  
R. V. Briggs,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Dussean,  
Eaton,  
Eck,  
Fuller,  
Gay,  
Gifford,  
Goodrich,  
Grant,  
Holt,

Mr. Hutchinson,  
Ingersoll,  
L. Kendrick,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lee,  
Mandigo,  
McCowen,  
McKernan,  
Mead,  
Miles,  
Miller,  
Murray,  
Newman,  
Norton,  
Osborn,  
Putnam,  
Riford,  
Riopelle,  
Rowlson,  
Seward,

Mr. Shaw,  
Shier,  
Sickels,  
Smith,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Thompson,  
Vowles,  
Walker,  
Walton,  
Weier,  
Wendell,  
Westover,  
Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker,

67

NAYS.

Title agreed to.

Senate bill No. 72, entitled

A bill to prevent the destruction of muskrats and muskrat



houses, in the marshes along the shore of Lakes Erie, St. Clair, Huron and Michigan,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Huston,	Mr. Shaw,
Avery,	Hutchinson,	Shier,
Baxter,	Ingersoll,	Sickels,
Blake,	L. Kendrick,	Smith,
Boswick,	F. G. Kendrick,	Snell,
Boynton,	Kingsley,	Stannard,
R. V. Briggs,	Klein,	Stewart,
Cameron,	Lane,	Swift,
B. Clark,	Lee,	Ternes,
Cogshall,	McCowen,	Thompson,
Crane,	McKernan,	Vowles,
Curry,	Miles,	Walker,
Doty,	Millington,	Walton,
Dussean,	Murray,	Ward,
Eaton,	Newman,	Weier,
Eck,	Norton,	Wendell,
Fenner,	Osborn,	Westover,
Fuller,	Putnam,	Wilcox,
Gay,	Riford,	H. G. Williams,
Gifford,	Romeyn,	J. A. Williams,
Goodrich,	Rowlson,	Woodard,
Grant,	Sanford,	Yawkey,
Holt,	Seward,	68

## NAYS.

Mr. Hurlbut,	Mr. Speaker,	2
--------------	--------------	---

Title agreed to.

Mr. Rowlson moved to reconsider the vote by which the last-named bill was passed.

Which motion prevailed.

On motion of Mr. Ingersoll,

The bill was recommitted to the committee on State affairs.

On motion of Mr. Miles,

The House took a recess until 2 o'clock this afternoon.

## AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

The House resumed business under the order of

## THIRD READING OF BILLS.

Senate bill No. 115, entitled

A bill to protect females from insult,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Romeyn,

The bill was laid on the table.

Senate bill No. 110, entitled

A bill to amend an act entitled "An act to revise the charter of the village of Hudson," being act No. 266, of the session laws of 1867, approved February 27, 1867,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Osborn,

The bill was laid on the table.

Senate bill No. 104, entitled

A bill to amend section 51 of an act entitled "An act to incorporate the city of Battle Creek," approved February 3, 1859,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. F. G. Kendrick,	Mr. Sheldon,
Barnaby,	Kingsley,	Shier,
G. G. Briggs,	Klein,	Slayton,
R. V. Briggs,	Lane,	Smith,
Cameron,	Lee,	Snell,
B. Clark,	Lovell,	Stannard,
O. Clark,	Mandigo,	Stewart,
Cogshall,	McCowen,	Stockbridge,
Crane,	Mead,	Tarnes,
Curry,	Millington,	Thompson,
Doty,	Mitchell,	Wagner,
Dussean,	Murray,	Walker,

Eak,	Newman,	Walton,
Fuller,	Norton,	Weier,
Gay,	Osborn,	Westover,
Goodrich,	Purcell,	White,
Grant,	Putnam,	Wilcox,
Harris,	Riford,	H. G. Williams,
Hartson,	Riopelle,	J. A. Williams,
Horton,	Romeyn,	W. D. Williams,
Hutchinson,	Rowlson,	Woodard,
Ingersoll,	Seward,	Yawkey,
L. Kendrick,	Shaw,	Speaker, 69
	NAYS.	0

Title agreed to.

On motion of Mr. R. V. Briggs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 85, entitled

A bill to amend section 15, of act No. 232, of the session laws of 1863, being an act to provide for the incorporation of water-power companies, approved March 20, 1863,

Was read a third time and passed, a majority of all the members elect, voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Hunt,	Mr. Sanford,
Avery,	Huston,	Seward,
Barnaby,	Hutchinson,	Shaw,
Beall,	Ingersoll,	Sheldon,
G. G. Briggs,	L. Kendrick,	Shier,
R. V. Briggs,	F. G. Kendrick,	Slayton,
Brownell,	Kingsley,	Snell,
Cameron,	Klein,	Stannard,
B. Clark,	Lee,	Stewart,
O. Clark,	Lovell,	Stockbridge,
Cogshall,	Mandigo,	Swift,
Crane,	McCowan,	Ternes,
Curry,	Mead,	Thompson,
Doty,	Miles,	Wagner,
Dusseau,	Miller,	Walker,
Eck,	Millington,	Walton,
Fenner,	Mitchell,	Weier,
Fuller,	Murray,	White,
Gay,	Norton,	Wilcox,
Goodrich,	Osborn,	H. G. Williams,

Grant,  
Harris,  
Hartson,  
Holt,  
Horton,  
Hubbard,

Putnam,  
Riford,  
Riopelle,  
Romeyn,  
Rowlson,

J. A. Williams,  
W. D. Williams,  
Woodward,  
Yawkey,  
Speaker,

76

NAYS.

0

Title agreed to.

On motion of Mr. McCowen,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Hutchinson, by unanimous consent, offered the following;

*Resolved*, That rule 57 of the House is hereby suspended;

Which was not adopted.

Senate bill No. 87, entitled

A bill for the incorporation of societies of marksmen,

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Avery,  
Barnaby,  
Beall,  
Boynton,  
B. Clark,  
Curry,  
Dussean,  
Eck,  
Fuller,  
Gay,  
Hartson,

Mr. Ingersoll,  
F. G. Kendrick,  
Kingley,  
Klein,  
Lane,  
Mandigo,  
Miles,  
Mitchell,  
Newman,  
Riopelle,

Mr. Snell,  
Stewart,  
Ternes,  
Ward,  
Weier,  
Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Woodard,

31

NAYS.

Mr. Ashly,  
G. G. Briggs,  
R. V. Briggs,  
Brownell,  
Cameron,  
O. Clark,  
Cogshall,  
Crane,  
Doty,  
Fenner,  
Gifford,

Mr. Hunt,  
Huston,  
Hutchinson,  
L. Kendrick,  
Lee,  
Lovell,  
McCowen,  
Mead,  
Miller,  
Millington,  
Murray,

Mr. Seward,  
Shaw,  
Sheldon,  
Shier,  
Smith,  
Stannard,  
Stockbridge,  
Swift,  
Thompson,  
Vowles,  
Wagner,

Goodrich,	Norton,	Walker,	
Grant,	Putnam,	Walton,	
Harris,	Riford,	Westover,	
Holt,	Romeyn,	White,	
Horton,	Rowlson,	Yawkey,	
Hubbard,	Sanford,	Speaker,	51

Mr. R. V. Briggs moved to reconsider the vote by which the bill was lost;

Which motion prevailed.

On motion of Mr. Curry,

The bill was laid on the table.

Senate bill No. 99, entitled

A bill to amend sections 16 and 35, of an act to incorporate the city of Monroe, approved March 22, 1837,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Avery,	Mr. Hant,	Mr. Shaw,
Barnaby,	Huston,	Sheldon,
Beall,	Hutchinson,	Shier,
Bostwick,	L. Kendrick,	Smith,
Boynton,	F. G. Kendrick,	Snell,
G. G. Briggs,	Kingsley,	Stannard,
R. V. Briggs,	Klein,	Stewart,
Brownell,	Lee,	Stockbridge,
Cameron,	Lovell,	Swift,
B. Clark,	Mandigo,	Ternes,
O. Clark,	McCowen,	Thompson,
Cogshall,	Mead,	Vowles,
Crane,	Miles,	Wagner,
Curry,	Miller,	Walker,
Doty,	Millington,	Walton,
Dusseau,	Mitchell,	Ward,
Eck,	Murray,	Weier,
Fenner,	Newman,	Westover,
Fuller,	Norton,	White,
Gay,	Plimpton,	Wilcox,
Gifford,	Putnam,	H. G. Williams,
Goodrich,	Riopelle,	J. A. Williams,
Grant,	Romeyn,	W. D. Williams,
Harris,	Rowlson,	Woodard,
Holt,	Sanford,	Yawkey,
Hubbard,	Seward,	Speaker,

## NAYS.

6

Title agreed to.

On motion of Mr. Dusseau,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate joint resolution No. 10, entitled

Joint resolution making an appropriation of one thousand dollars, for engrossing a roll of honor on parchment, and for binding the same for State Library and the original for Adjutant General's office;

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. J. A. Williams moved to strike out "one thousand dollars" in the second resolution, and insert "five hundred dollars," in lieu thereof;

Which was not agreed to.

Mr. Avery moved to amend, by striking out the last resolution;

Which was not agreed to.

Mr. Miles moved to amend, by striking out the word "one," in line 1 of the second resolution, and insert "two," in lieu thereof;

Which was not agreed to.

The joint resolution was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,  
Barnaby,  
Beall,  
Bostwick,  
Boynton,  
G. G. Briggs,  
R. V. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,

Mr. Hunt,  
Huston,  
Hutchinson,  
L. Kendrick,  
F. G. Kendrick,  
Kingsley,  
Lane,  
Lee,  
Lovell,  
Mandigo,  
Mead,  
Miles,  
Miller,

Mr. Shaw,  
Sheldon,  
Shier,  
Sickels,  
Smith,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Vowles,

Curry,	Millington,	Wagner,
Doty,	Mitchell,	Walker,
Dussean,	Murray,	Walton,
Eck,	Newman,	Ward,
Fuller,	Norton,	Weier,
Gay,	Plimpton,	White,
Gifford,	Putnam,	Wilcox,
Goodrich,	Riford,	H. G. Williams,
Grant,	Riopelle,	J. A. Williams,
Harris,	Romeyn,	W. D. Williams,
Holt,	Rowlson,	Yawkey,
Horton,	Sanford,	Speaker,
Hubbard,	Seward,	

77

NAYS.

Mr. Avery,	Mr. Westover,	Mr. Woodard,
Klein,		

4

Title agreed to.

Senate joint resolution No. 7, entitled

Joint resolution assenting to the transfer of title from the State of Pennsylvania to the United States, of the soldiers' National cemetery, at Gettysburgh, Pennsylvania,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Hubbard,	Mr. Sheldon,
Avery,	Hunt,	Sickels,
Barnaby,	Hutchinson,	Snell,
Beall,	L. Kendrick,	Stannard,
Bostwick,	F. G. Kendrick,	Stewart,
Boynton,	Kingsley,	Stockbridge,
G. G. Briggs,	Klein,	Swift,
Cameron,	Lane,	Ternes,
B. Clark,	Lee,	Thompson,
O. Clark,	Lovell,	Vowles,
Cogshall,	Mandigo,	Wagner,
Crane,	McCowen,	Walker,
Curry,	McKernan,	Walton,
Doty,	Mead,	Ward,
Dusseau,	Miles,	Weier,
Eck,	Millington,	Westover,
Fenner,	Mitchell,	White,
Fuller,	Murray,	Wilcox,
Gay,	Newman,	H. G. Williams,
Gifford,	Plimpton,	J. A. Williams,

Goodrich,	Putnam,	W. D. Williams,
Grant,	Romeyn,	Woodard,
Harris,	Rowlson,	Yawkey,
Holt,	Seward,	Speaker,
Horton,	Shaw,	

74

## NAYS.

Mr. R. V. Briggs,

1

Title and preamble agreed to.

Senate bill No. 92, entitled

A bill in relation to life insurance companies transacting business within this State,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Hunt,	Mr. Shaw,
Avery,	Hutchinson,	Sheldon,
Beall,	F. G. Kendrick,	Sickels,
Boatwick,	Kingsley,	Stannard,
Boynton,	Klein,	Stewart,
G. G. Briggs,	Lane,	Stockbridge,
R. V. Briggs,	Lee,	Swift,
Cameron,	Lovell,	Thompson,
B. Clark,	Mandigo,	Vowles,
O. Clark,	McCowan,	Wagner,
Crane,	Mead,	Walker,
Doty,	Miles,	Walton,
Dumseau,	Miller,	Ward,
Eck,	Millington,	Weisz,
Fuller,	Mitchell,	Westover,
Gifford,	Murray,	White,
Goodrich,	Newman,	Wilcox,
Grant,	Plimpton,	H. G. Williams,
Harris,	Putnam,	J. A. Williams,
Hartson,	Riopelle,	W. D. Williams,
Holt,	Romeyn,	Woodward,
Horton,	Rowlson,	Yawkey,
Hubbard,	Seward,	Speaker,

69

## NAYS.

0

Title agreed to.

On motion of Mr. Boynton.

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.



Senate joint resolution No. 15, entitled

Joint resolution to authorize the Board of State Auditors to audit and allow the account of Henry S. Clubb, for reporting for the Supreme Court of the State of Michigan, the evidence in the case of the State of Michigan *ex rel.* Frank H. White vs. Hermanus Dossburg,

Was read a third time and passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Hubbard,	Mr. Seward
Avery,	Hunt,	Shaw,
Barnaby,	Hurlbut,	Sheldon,
Beall,	Kingsley,	Sickles,
Bostwick,	Klein,	Stockbridge,
Boynton,	Lane,	Swift,
G. G. Briggs,	Lee,	Ternes,
Brownell,	Lovell,	Thompson,
Cameron,	Mandige,	Vowles,
B. Clark,	McCowan,	Wagner,
O. Clark,	Miles,	Walker,
Cogshall,	Miller,	Walton,
Crane,	Millington,	Ward,
Curry,	Mitchell,	Weier,
Doty,	Murray,	Westover,
Dusseau,	Newman,	White,
Eck,	Norton,	Wilcox,
Fuller,	Plimpton,	H. G. Williams,
Gifford,	Putnam,	J. A. Williams,
Goodrich,	Risford,	W. D. Williams,
Grant,	Riopelle,	Woodard,
Hartson,	Romeyn,	Yawkey,
Holt,	Rowlson,	Speaker,

69

## NAYS.

0

Title and preamble agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

Senate bill No. 145, entitled

A bill requiring corporations doing business in this State, whose principal offices are out of the State, to keep a list of their stockholders and a transfer book within this State,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Hubbard,	Mr. Riopelle,
Avery,	Hunt,	Seward,
Barnaby,	Hurlbut,	Shaw,
Baxter,	Huston,	Sheldon,
Beall,	Ingersoll,	Sickels,
Blake,	L. Kendrick,	Snell,
Bostwick,	F. G. Kendrick,	Stannard,
Boynton,	Kingsley,	Stockbridge,
G. G. Briggs,	Klein,	Swift,
R. V. Briggs,	Lane,	Ternes,
Brownell,	Lee,	Thompson,
Cameron,	Lovell,	Vowles,
B. Clark,	Mandigo,	Wagner,
O. Clark,	McCowen,	Walker,
Oggsball,	Mead,	Walton,
Crane,	Miles,	Ward,
Curry,	Miller,	Weier,
Doty,	Millington,	Wendell,
Dusseau,	Mitchell	White,
Eaton,	Murray,	H. G. Williams,
Fuller,	Newman,	J. A. Williams,
Gifford,	Norton,	W. D. Williams,
Goodrich,	Plimpton,	Woodard,
Grant,	Putnam,	Yawkey,
Hartson,	Riford,	Speaker,
Holt,		

## NAYS.

Title agreed to.

Senate joint resolution No. 11, entitled

Joint resolution to regulate the making up of reports of claims examined and adjusted by the board of State auditors.

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Holt,	Mr. Seward,
Avery,	Hubbard,	Shaw,
Barnaby,	Hunt,	Sheldon,
Baxter,	Hurlbut,	Sickels,
Beall,	Hutchinson,	Snell,
Blake,	Ingersoll,	Stannard,

Bostwick,	L. Kendrick,	Stockbridge,
G. G. Briggs,	F. G. Kendrick,	Swift,
R. V. Briggs,	Kingsley,	Ternes,
Brownell,	Klein,	Thompson,
Cameron,	Lane,	Vowles,
B. Clark,	Lee,	Wagner,
O. Clark,	Lovell,	Walker,
Cogshall,	Mandigo,	Walton,
Crane,	McCowen,	Ward,
Curry,	Miles,	Weier,
Doty,	Miller,	Westover,
Eaton,	Millington,	White,
Eck,	Mitchell,	Wilcox,
Fuller,	Murray,	H. G. Williams,
Gay,	Norton,	J. A. Williams,
Gifford,	Plimpton,	W. D. Williams,
Goodrich,	Putnam,	Woodard,
Grant,	Riford,	Yawkey,
Harris,	Riopelle,	Speaker,
Hartson,	Sanford,	
	NAYS.	77
		0

Title agreed to.

Senate bill No. 108, entitled

A bill to provide for the payment of the salaries of the military officers for the years 1869 and 1870,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Holt,	Mr. Rowison,
Avery,	Hubbard,	Seward,
Barnaby,	Hunt,	Shaw,
Baxter,	Hurlbut,	Sheldon,
Beall,	Huston,	Sickels,
Blake,	Hutchinson,	Snell,
Bostwick,	Ingersoll,	Stannard,
G. G. Briggs,	L. Kendrick,	Stewart,
R. V. Briggs,	F. G. Kendrick,	Swift,
Brownell,	Kingsley,	Ternes,
Cameron,	Klein,	Thompson,
B. Clark,	Lane,	Wagner,
O. Clark,	Lee,	Walker,
Cogshall,	Lovell,	Walton,
Crane,	Mandigo,	Ward,
Curry,	McCowen,	Weier,

Doty,  
Eaton,  
Eck,  
Fenner,  
Fuller,  
Gifford,  
Goodrich,  
Grant,  
Harris,  
Hartson,

Miles,  
Miller,  
Millington,  
Mitchell,  
Murray,  
Norton,  
Putnam,  
Riford,  
Riopelle,

Wendell,  
Westover,  
White,  
Wilcox,  
H. G. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker,

76

## NAYS.

Title agreed to.

Senate bill No. 120, entitled

A bill relative to an attorney or solicitor's fees, stipulated to be paid in a real estate mortgage,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Millington moved to amend, by adding to the bill the following: "but such fee shall not exceed the sum of fifty dollars."

Mr. L. Kendrick moved to amend the amendment by striking out "fifty," and inserting "twenty-five;"

Which was accepted.

The amendment was not agreed to.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,  
Baxter,  
Beall,  
Blake,  
Beynton,  
R. V. Briggs,  
Cameron,  
Cogshall,  
Curry,  
Eaton,  
Fuller,  
Gay,  
Gifford,  
Grant,

Mr. Hunt,  
Husten,  
Ingersoll,  
F. G. Kendrick,  
Kingsley,  
Lane,  
Lovell,  
Mandigo,  
Mead,  
Miles,  
Miller,  
Mitchell,  
Norton,  
Pimpton,

Mr. Putnam,  
Riford,  
Riopelle,  
Rowson,  
Sanford,  
Snell,  
Stannard,  
Stockbridge,  
Thompson,  
Walker,  
Wendell,  
H. G. Williams,  
W. D. Williams,  
Yawkey,

Holt,  
Hubbard,

Purcell,

Speaker,

46.

## NAYS.

Mr. Avery,  
Barnaby,  
Bostwick,  
G. G. Briggs,  
Brownell,  
B. Clark,  
O. Clark,  
Crane,  
Doty,  
Eck,  
Fenner,  
Goodrich,  
Harris,

Mr. Hartson,  
Hutchinson,  
L. Kendrick,  
Klein,  
Lee,  
McCowan,  
Millington,  
Murray,  
Newman,  
Romeyn,  
Seward,  
Shaw,  
Sheldon,

Mr. Sickels,  
Stewart,  
Swift,  
Ternes,  
Vowles,  
Wagner,  
Walton,  
Ward,  
Weier,  
Westover,  
White,  
Wilcox,  
J. A. Williams, 39-

Senate bill No. 88, entitled

A bill to amend act No. 233, of the session laws of 1861, being an act entitled "An act to facilitate the commencement of suits against joint defendants residing in several counties," approved March 16, 1861,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
Boynton,  
G. G. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Doty,  
Dusseau,  
Eck,  
Fenner,

Mr. Holt,  
Hunt,  
Huston,  
Hutchinson,  
Ingersoll,  
L. Kendrick,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lovell,  
Mandigo,  
McCowan,  
Mead,  
Miles,  
Miller,  
Millington,  
Mitchell,  
Murray,  
Newman,

Mr. Sanford,  
Seward,  
Shaw,  
Sheldon,  
Sickels,  
Slayton,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Wagner,  
Walker,  
Walton,  
Ward,  
Weier,  
Westover,

Fuller,  
Gay,  
Gifford,  
Goodrich,  
Grant,  
Harris,  
Hartson,

Norton,  
Plimpton,  
Purcell,  
Putnam,  
Riford,  
Riopelle,  
Rowlson,

White,  
Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Yawkey,  
Speaker, 78

## NAYS.

Mr. Curry,

Mr. Romeyn,

2

Title agreed to.

Mr. Cogshall moved that the bill be ordered to take immediate effect;

Which motion did not prevail.

House bill No. 213, entitled

A bill to prevent the shooting of persons in sport,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Blake,  
Bostwick,  
G. G. Briggs,  
R. V. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Curry,  
Doty,  
Dusseau,  
Eaton,  
Eck,  
Fenner,  
Fuller,  
Gay,  
Gifford,  
Goodrich,

Mr. Hartson,  
Hubbard,  
Hunt,  
Hutchinson,  
Ingersoll,  
L. Kendrick,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lane,  
Lee,  
Lovell,  
Mandigo,  
McCowen,  
Mead,  
Miles,  
Miller,  
Millington,  
Mitchell,  
Murray,  
Norton,  
Osborn,  
Plimpton,  
Purcell,

Mr. Romeyn,  
Rowlson,  
Sanford,  
Seward,  
Shaw,  
Sheldon,  
Sickels,  
Snell,  
Stannard,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Wagner,  
Walton,  
Ward,  
Weier,  
Westover,  
White,  
Wilcox,  
H. G. Williams,  
W. D. Williams,  
J. A. Williams,

Grant,  
Harris,

Putnam,  
Riford,

Yawkey,  
Speaker,

78

NAYS.

0

Mr. Sanford moved to amend the title so that it should read  
"A bill to prevent the careless use of firearms;"

Which motion prevailed.

The title was then agreed to.

On motion of Mr. McCowen,

By a vote of two-thirds of all the members elect, the bill was  
ordered to take immediate effect.

House bill No. 206, entitled

A bill to amend sections 2 and 3, of act number 115, of ses-  
sion laws of 1861, entitled "An act to amend chapter 23, of the  
compiled laws, relative to obstruction and encroachments of  
highways,

Was read a third time, and pending the taking of the vote  
on the passage thereof,

Mr. Miles moved to amend, by striking out in line 1 of sec-  
tion 1, the word "said," and inserting after the word act, in the  
same line, "No. 115, of session laws of 1861, entitled 'An act  
to amend chapter 23, of the compiled laws, relative to obstruc-  
tion and encroachments of highways;'"

Which was agreed to.

Mr. Briggs moved to amend by inserting in line 2, of recited  
section 2, the word "building" after the word "fence;"

Which was not agreed to.

Mr. Lee moved that the bill be recommitted to the committee  
on roads and bridges;

Which motion did not prevail.

Mr. Fenner moved to amend by striking out in line 1, of  
recited section 3, the word "ten," and inserting "thirty" in  
lieu thereof;

Which was not agreed to.

Mr. Dusseau moved to amend by adding at the end of line  
2, of section 2, "except brick or stone walls;"

Which was not agreed to.

On motion of Mr. R. V. Briggs,

The bill was laid on the table.

Senate bill No. 151, entitled

A bill to amend section 86, of chapter 93, of the revised statutes of 1846, being section 3733, of the compiled laws,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Riford,

The bill was laid on the table.

#### MESSAGE FROM THE GOVERNOR.

By unanimous consent, the Speaker announced the following:

EXECUTIVE OFFICE, }  
Lansing, March 17, 1869. }

*To the House of Representatives:*

I am prepared to submit nominations which require the approval of the two Houses in joint convention, whenever it shall suit the Senate and the House of Representatives to meet for the purpose of receiving them.

HENRY P. BALDWIN.

The message was laid on the table.

#### MESSAGE FROM THE SENATE.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 17, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate manuscript bill, entitled

A bill to enable the city of Marshall to pledge its credit to aid in the construction of the Jonesville, Marshall and Grand river railroad;

Which has passed the Senate, by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators



elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

MOTIONS AND RESOLUTIONS.

Mr. Grant moved to reconsider the vote by which the House refused to pass House bill No. 167, entitled

A bill to amend act No. 66, of the session laws of the year 1867, approved March 20, 1867, being an act to amend an act entitled an act to amend act No. 328, of the session laws of the year 1865, being an act entitled an act to provide for the erection and maintenance of shutes for the passage of fish through the dams across the streams of this State;

Which motion did not prevail.

Mr. Cameron moved to take from the table Senate bill No. 139, entitled

A bill making appropriations for the Michigan Asylum for the Insane, for the years 1869 and 1870;

Which motion prevailed.

On motion of Mr. Cameron,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Hurlbut,	Mr. Sanford,
Avery,	Huston,	Seward,
Baxter,	Hutchinson,	Shaw,
Beall,	Ingersoll,	Sheldon,
Blake,	F. G. Kendrick,	Shier,
Bostwick,	Kingsley,	Sickels,
Boynton,	Klein,	Smith,
Brownell,	Lane,	Snell,
Cameron,	Lee,	Stannard,

B. Clark,	Lovell,	Stewart,
O. Clark,	Mandigo,	Stockbridge,
Cogahall,	McCowen,	Swift,
Crane,	Mead	Ternes,
Crossman,	Miles,	Thompson,
Curry,	Miller,	Vowles,
Doty,	Millington,	Walker,
Dussean,	Mitchell,	Walton,
Eaton,	Murray,	Weier,
Eck,	Newman,	Wendell,
Fenner,	Norton,	Westover,
Fuller,	Osborn,	Wilcox,
Gay,	Plimpton,	H. G. Williams,
Goodrich,	Purcell,	J. A. Williams,
Grant,	Putnan,	W. D. Williams,
Hartson,	Riford,	Woodard,
Holt,	Riopelle,	Yawkey,
Hubbard,	Romeyn,	Speaker,
Hunt,	Rowlson,	

83

## NAYS

6

Pending the announcement of the vote,

Mr. Miles moved that Mr. Miller be excused from voting;

Which motion did not prevail.

Mr. Miller then voted as recorded above.

The title was agreed to.

On motion of Mr. Baxter,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Norton moved to take from the table Senate bill No. 156, entitled

A bill to provide for the draining of swamps, marshes and other low lands;

Which motion prevailed.

On motion of Mr. Norton,

The bill was placed on its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Curry moved to amend by striking out, in section eight, after the word "be," in line eight, the following: "and where such drain or drains will benefit highways, said commissioner

shall estimate also the amount of such benefit, and assign the same to the township to which such highway belongs;"

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Hubbard,	Mr. Sanford,
Barnaby,	Hunt,	Shaw,
Baxter,	Hurlbut,	Sheldon,
Beall,	Huston,	Shier,
Blake,	Hutchinson,	Sickels,
Bostwick,	Ingersoll,	Smith,
Boynton,	L. Kendrick,	Snell,
G. G. Briggs,	Kingsley,	Stockbridge,
Brownell,	Klein,	Swift,
B. Clark,	Lane,	Thompson,
O. Clark,	Lee,	Vowles,
Crane,	Lovell,	Wagner,
Crossman,	McCowen,	Walker,
Curry,	Mead,	Walton,
Doty,	Miles,	Ward,
Dusseau,	Miller,	Weier,
Eck,	Mitchell,	Wendell,
Fenner,	Murray,	Westover,
Fuller,	Newman,	H. G. Williams,
Gay,	Norton,	J. A. Williams,
Gifford,	Osborn,	W. D. Williams,
Goodrich,	Putnam,	Woodard,
Grant,	Riopelle,	Yawkey,
Harris,	Romeyn,	Speaker,
Hartson,	Rowlson,	

74

## NAYS.

Mr. Millington,	Mr. Purcell,	Mr. Stewart,
Plimpton,	Stannard,	Wilcox,

6

Title agreed to.

On motion of Mr. Norton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Westover moved to discharge the committee of the whole from the further consideration of House bill No. 201, entitled

A bill to authorize the township of Portsmouth to issue bonds to aid in the construction of a bridge across Saginaw river;

Which motion prevailed.

On motion of Mr. Westover,

The bill was referred to the committee on roads and bridges.

Mr. Huston moved to take from the table House joint resolution No. 19, entitled

Joint resolution authorizing the Governor to release all claims of the State of Michigan to the General Government, that said State may have to the east half of the southeast quarter of section 23, township 14 north, of range 12 west, in said State;

Which motion prevailed.

The joint resolution having been read a third time, and the question being upon its passage,

It was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Hutchinson,	Mr. Shaw,
Barnaby,	Ingersoll,	Sheldon,
Baxter,	L. Kendrick,	Shier,
Blake,	Kingsley,	Smith,
Bostwick,	Klein,	Snell,
Boynton,	Lane,	Stannard,
Cameron,	Lee,	Stockbridge,
B. Clark,	Lovell,	Swift,
O. Clark,	McCowen,	Ternes,
Cogshall,	Mead,	Thompson,
Crane,	Miles,	Vowles,
Crossman,	Miller,	Wagner,
Curry,	Millington,	Walker,
Doty,	Mitchell,	Walton,
Eaton,	Murray,	Ward,
Eck,	Newman,	Weier,
Fenner,	Norton,	Wendell,
Fuller,	Osborn,	Westover,
Gay,	Plimpton,	White,
Gifford,	Purcell,	Wilcox,
Goodrich,	Putnam,	H. G. Williams,
Grant,	Riford,	J. A. Williams,
Harris,	Riopelle,	W. D. Williams,
Holt,	Romeyn,	Woodard,
Hurlbut,	Sanford,	Speaker,
Huston,	Seward,	

## NAYS.

0

Mr. Huston moved to amend the first paragraph of the preamble, so that it would read as follows:

"Whereas, On the twentieth day of November, eighteen hundred and fifty-three, Samuel Mitchell, located at the United States Land Offices at Ionia, Michigan, the east half of the south-east quarter of section twenty-three, in township fourteen north, of range twelve west, with military bounty land warrant for eighty acres, war of eighteen hundred and twelve, being number eight thousand one hundred and thirty-one;"

Which motion prevailed.

The title and preamble, as amended, was agreed to.

On motion of Mr. Huston,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

The Sergeant-at-Arms announced a committee from the Senate.

The committee reported that they had been appointed by the Senate to notify the House that the Senate would meet the House in joint convention, at such time as the House might designate, to consider any nominations which His Excellency the Governor might see fit to make to such convention.

Mr. Purcell moved to discharge the committee of the whole from the further consideration of Senate bill No. 78, entitled

A bill to amend sections 1, 2, 3, 4, 5, 6 and 13, of chapter 126, of the revised statutes of 1846;

Which motion prevailed.

On motion of Mr. Purcell,

The bill was recommitted to the committee on State affairs.

Mr. Miles moved to reconsider the vote by which the House passed Senate bill No. 145, entitled

A bill requiring corporations doing business in this State, whose principal offices are out of the State, to keep a list of their stockholders and a transfer book within this State;

Which motion prevailed.

The question being upon the passage of the bill, pending the taking of the vote thereon,

Mr. Miles moved to amend the bill by inserting after the word "agency," in line 5, section 1, the words "within this State;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Avery,	Mr. Hutchinson,	Mr. Shaw,
Barnaby,	Ingersoll,	Sheldon,
Baxter,	L. Kendrick,	Shier,
Blake,	Kingsley,	Smith,
G. G. Briggs,	Klein,	Snell,
R. V. Briggs,	Lane,	Stannard,
Brownell,	Lee,	Stewart,
Cameron,	Lovell,	Stookbridge,
B. Clark,	McCowen,	Swift,
O. Clark,	Mead,	Thompson,
Crane,	Miles,	Vowles,
Crossman,	Miller,	Wagner,
Curry,	Millington,	Walker,
Eck,	Mitchell,	Walton,
Fenner,	Murray,	Ward,
Fuller,	Newman,	Weier,
Gay,	Osborn,	Wendell,
Gifford,	Plimpton,	Westover,
Goodrich,	Putnam,	White,
Grant,	Riford,	Wilcox,
Harris,	Riopelle,	H. G. Williams,
Hubbard,	Romeyn,	J. A. Williams,
Hurlbut,	Sanford,	Yawkey,
Huston,	Seward,	Speaker,

72

## NAYS.

0

Title agreed to.

Mr. Cameron moved that a committee of three be appointed to notify the Senate that the House would meet the Senate in joint convention to-morrow morning, at eleven o'clock, to consider any nominations which His Excellency the Governor might see fit to make to such convention;

Which motion prevailed.

The Speaker announced as such committee, Messrs. Cameron, Mandigo and Miles.

Mr. Grant moved to discharge the committee of the whole from the further consideration of House bill No. 211, entitled

A bill to incorporate the village of Nashville;

Which motion prevailed.

On motion of Mr. Grant,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Avery,	Mr. L. Kendrick,	Mr. Smith,
Baxter,	Kingsley,	Snell,
Blake,	Klein,	Stannard,
Bostwick,	Lee,	Stewart,
G. G. Briggs,	Lovell,	Stockbridge,
R. V. Briggs,	McCowan,	Swift,
Brownell,	Miles,	Ternes,
B. Clark,	Miller,	Thompson,
O. Clark,	Millington,	Vowles,
Crane,	Mitchell,	Wagner,
Crossman,	Murray,	Walker,
Curry,	Newman,	Walton,
Doty,	Norton,	Ward,
Eck,	Purcell,	Weier,
Fenner,	Putnam	Wendell,
Fuller,	Riford,	Westover,
Gay,	Riopelle,	White,
Goodrich,	Romeyn,	Wilcox,
Grant,	Sanford,	H. G. Williams,
Harris,	Seward,	J. A. Williams,
Hunt,	Shaw,	W. D. Williams,
Hurlbut,	Sheldon,	Yawkey,
Huston,	Shier,	Speaker,
Ingersoll,		

70

#### NAYS.

0

Title agreed to.

On motion of Mr. G. G. Briggs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Stockbridge moved to discharge the committee of the whole from the further consideration of House bill No. 206, entitled

A bill to amend section 2435, and section 2463 of the compiled laws, relative to the payment of moneys by purchasers of the trust fund and swamp lands to county treasurers, and the forfeiture and redemption of said lands;

Which motion prevailed.

On motion of Mr. Stockbridge,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

Mr. Ashley,	Mr. Hurlbut,	Mr. Shaw,
Baxter,	Huston,	Sheldon,
Blake,	L. Kendrick,	Shier,
Bostwick,	Kingalev,	Smith,
G. G. Briggs,	Klein,	Snell,
R. V. Briggs,	Lane,	Stannard,
Brownell,	Lee,	Stockbridge,
B. Clark,	Lovell,	Swift,
O. Clark,	Mandigo,	Ternes,
Cogaball,	McCowen,	Thompson,
Crane,	Mead,	Vowles,
Crossman,	Miles,	Wagner,
Doty,	Miller,	Walker,
Dussean,	Millington,	Walton,
Eck,	Mitchell,	Ward,
Fenner,	Murray,	Weier,
Faller,	Newman,	Westover,
Gay,	Norton,	White,
Gifford,	Plimpton,	Wileox,
Goodrich,	Purcell,	H. G. Williams,
Grant,	Putnam,	J. A. Williams,
Harris,	Riford,	W. D. Williams,
Horton,	Riopelle,	Yawkey,
Hubbard,	Romeyn,	Speaker,
Hunt,	Seward,	
	NAYS.	

74

0

Title agreed to.

On motion of Mr. Stewart,

The House adjourned until to-morrow morning at 9 o'clock



*Lansing, Thursday, March 18, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Sheldon.

Roll called: quorum present.

Absent without leave: Messrs. Gay, Stannard and White.

Mr. Lee asked and obtained leave of absence for Mr. Gay, until Tuesday morning.

Mr. Wilcox asked and obtained leave of absence for Mr. White, until Tuesday morning.

Mr. Murray asked and obtained leave of absence for Mr. Stannard, for an indefinite time, on account of sickness.

By unanimous consent, Mr. Crossman moved to take from the table the following concurrent resolution:

*Resolved, (the Senate concurring,) That from and after Tuesday, the 23d day of March, 1869, the two Houses will transact no business, other than for the President of the Senate and the Speaker of the House to sign enrolled bills for the approval of the Governor, and the entry of the same on the journals of the proper Houses, by the Secretary and Clerk, and that the time of final adjournment of this Legislature shall be on Friday, the 26th day of March, 1869, at 12 o'clock M. of that day; §*

Which motion prevailed.

Mr. Crossman moved to amend by striking out "Tuesday, the 23d," and inserting "Friday, the 26th" in lieu thereof; also, by striking out "Friday, the 26th," and inserting "Tuesday, the 30th," in lieu thereof.

Which motion prevailed.

The question being upon the adoption of the resolution as amended,

Mr. J. A. Williams demanded the yeas and nays;

The demand was seconded, and the resolution was adopted, by yeas and nays, as follows:

#### YEAS

Mr. Ashley,  
Avery,  
Barnaby,

Mr. Holt,  
Horton,  
Hubbard,

Mr. Putnam,  
Riford,  
Romeyn,

Baxter,	Hunt,	Rowlson,
Beall,	Hurlbut,	Seward,
Blake,	Huston,	Shaw,
Bostwick,	Hutchinson,	Sheldon,
Boynton,	Ingersoll,	Shier,
G. G. Briggs,	Jewell,	Sickels,
R. V. Briggs,	L. Kendrick,	Smith,
Brownell,	F. G. Kendrick,	Snell,
Cameron,	Kingsley,	Stewart,
B. Clark,	Klein,	Stockbridge,
O. Clark,	Lane,	Ternes,
Oogahall,	Lee,	Thompson,
Crane,	Lovell,	Vowles,
Crossman,	Mandigo,	Wagner,
Curry,	McCowen,	Walker,
Doty,	Mead,	Walton,
Dusseau,	Miles,	Weier,
Eck,	Miller,	Wendell,
Fenner,	Millington,	Westover,
Fuller,	Mitchell,	Wilcox,
Gifford,	Murray,	H. G. Williams,
Goodrich,	Newman,	J. A. Williams,
Grant,	Osborn,	W. D. Williams,
Harris,	Plimpton,	Woodard,
Hartson,	Purcell,	Speaker, 84

## NAYS.

Mr. Slayton,

Mr. Ward,

Mr. Yawkey,

3

## PRESENTATION OF PETITIONS.

By Mr. Purcell: petition of Wm. Barclay and 84 others, members and officers of the fire department of the city of Detroit, praying for amendments to their act of incorporation.

Referred to the committee on banks and incorporations.

By Mr. Fuller: remonstrance of E. O. Rose, Charles Gay and 202 others, citizens of Mecosta county, against the passage of any law interfering with the rights of the Grand Rapids and Indiana railroad company.

On motion of Mr. Fuller,

The remonstrance was laid on the table.

By Mr. Ward: petition of John W. Osburn and 373 others, citizens of Owosso, asking for an amendment to their city charter.

Referred to the committee on banks and incorporations.

By Mr. Ingersoll: remonstrance of L. D. Jones, C. B. Chalker, H. Newberry and 90 others, electors of the township of Vernon, and Shiawassee, against the passage of the bill increasing the number of supervisors in the city of Owosso;

Also: remonstrance of Daniel Henish, A. F. Spencer, Elias Hagerty and 27 others, electors of the township of Shiawassee, against the passage of the same bill;

Also: remonstrance of Isaac S. Barnum, Henry Wiltse James Sleeth and 61 other electors of the township of Burns, against the passage of the same bill;

Also: remonstrance of P. Andrews, W. D. Garrison, Asahel Owen and 68 others, electors of the township of Vernon, against the passage of the same bill;

Also: remonstrance of Phineas Burch, I. V. Ott, J. R. Knight and 77 others, electors of the township of New Haven, against the passage of the same bill;

Also: remonstrance of Thos. P. Green, A. Cole, P. Flood and 27 others, electors of the township of Burns, against the passage of the same bill;

Also: remonstrance of E. E. Sheldon, Chas. A. Osborne, C. P. Deverau and 51 others, electors of the township of Shiawassee, against the passage of the same bill;

Also: remonstrance of L. Arnold, A. Beard, E. S. Robinson and 36 other electors of the township of Antrim, against the passage of the same bill;

Also: remonstrance of Benj. Hulich, J. J. Gaylord, Henry Drake and 46 other electors of the township of Burns, against the passage of the same bill;

Also: remonstrance of F. G. Bailey, Riley Byington, P. Card and 27 others, voters of the township of Venice, against the passage of the same bill;

Also: remonstrance of S. K. Swick, J. E. Martenis, H. S. Redmond and 19 other electors of the township of Burns, against the passage of the same bill;

Also: remonstrance of F. F. Brewer, D. B. Holcomb, George Jacobs and 49 other electors of the township of Hazelton, against the passage of the same bill;

Also: remonstrance of Gleason J. Young, Chas. Wilkins, Joseph D. Priest and 87 other electors of the township of Venice, against the passage of the same bill;

Also: remonstrance of N. Gulich, F. Karrer, Jas. Sleeth and 23 other electors of the township of Burns, against the passage of the same bill;

Also: remonstrance of Simeon B. Kent, Theo. Barnes, John Q. Adams and 31 others, electors of the township of Shiawassee, against increasing the supervisors of the city of Owosso;

Also: remonstrance of D. N. Sabina, C. Yerkes, H. Humphrey and 7 others, electors of the townships of Shiawassee and Venice, against increasing the supervisors of the city of Owosso;

Also: remonstrance of S. T. Watson, E. L. Ball, John Carter and 31 others, electors of the townships of Hazelton, New Haven, Venice, &c., against increasing the number of supervisors in the city of Owosso;

Also: remonstrance of A. B. Clark, J. S. Colby, Stephen Hawkins and 136 other electors of the townships of Caledonia, Shiawassee, Vernon, Venice, New Haven, Hazelton, Bennington, Sciota and the city of Owosso, against the passage of the same bill.

Referred to the committee on banks and incorporations.

By Mr. Boynton: remonstrance of A. R. Loud, James McCall and 52 other citizens of Iosco county, against the passage of a bill entitled "The Sauble river and Tawas river boom company," with certain privileges.

On motion of Mr. Boynton,

The remonstrance was ordered printed in the journal.

The following is the remonstrance:

*To the Honorable the House of Representatives and Senate of the State of Michigan:*

The undersigned, residents of the town and village of Au Sable, Iosco county, State of Michigan, being informed that the

people of Tawas and others, have made petition to your Honorable body to authorize or charter the digging of a canal, or turning the waters of the Au Sable river in whole or in part into Tawas Lake, and thence to Tawas Bay, and believing that such division of its waters, if accomplished, would seriously damage all the property situated on or dependent upon said river below said canal; that large investments have been made in mill property, depending upon the navigation of the river at and near its mouth; that government has and is expending a large amount to open a harbor which would be entirely destroyed if any material part of the water were turned aside, as there is now but a low depth of water, thus doing great and irreparable damage to public and private interest, without compensation or redress. We therefore beg to remonstrate against the granting of any such privilege or authority to such petitioners.

By Mr. Klein: memorial of the Board of Trade of the city of Detroit, in relation to the Ste. Mary's Ship Canal.

On motion of Mr. Klein,

The memorial was referred to the committee on federal relations, and was ordered printed in the journal.

The following is the memorial:

BOARD OF TRADE ROOMS, }  
Detroit, March 15, 1869. }

*To the Honorable the Senate and House of Representatives of the State of Michigan:*

At a special meeting of this board, held to-day, the following preamble and resolution were adopted:

*Whereas*, The history and commerce of the Sault Canal for the last few years has fully demonstrated its inadequacy and inefficiency for the purpose for which it was constructed—to bear the commerce of the Lake Superior country—on account of the insufficient depth of said canal; and,

*Whereas*, The deepening of said canal is imperiously demanded by the wants of commerce, and will cost some \$200,000, which sum the State of Michigan cannot and ought not to ex-

pend upon this general highway of commerce, open to all the neighboring States, as well as to foreign nations; and,

*Whereas*, Application has been heretofore frequently made to Congress for aid to deepen said canal, and the same has been refused because said canal is a public work of the State of Michigan; therefore,

*Resolved*, That this board respectfully petition and urge the Legislature of the State of Michigan that they will pass an act ceding said Sault Canal to the United States, upon the consideration that Congress shall assume the care and control of said canal, and appropriate at least the sum of \$50,000.

C. A. SHELDON, *President*.

RAY HADDOCK, *Secretary*.

By Mr. Ingersoll: remonstrance of L. D. Jones, H. Newberry and 90 others, voters of the townships of Vernon and Shiawassee, against the passage of the bill increasing the number of supervisors in the city of Owosso.

On motion of Mr. Ingersoll,

The remonstrance was referred to the committee on banks and incorporations, and was ordered printed in the journal.

The following is the remonstrance:

*To the Hon. the House of Representatives of the State of Michigan:*

The undersigned, electors of the first representative district in the county of Shiawassee, having learned that a bill has passed the Senate, giving two more supervisors to the city of Owosso, would respectfully, but *earnestly* protest and remonstrate against the passage of said bill, for the following, among other reasons:

*First*. For ten years past the city of Owosso and the township of Owosso have been represented upon the board of supervisors by three supervisors, while the township of Caledonia and the village of Corruna (now the city of Corruna) has only had one supervisor, yet the number of votes has been about equal.

*Second*. If said bill shall become a law, the second representative district in this county will continue in the future, as in the past, to have a majority upon the board of supervisors, which,

in our judgment, is manifestly wrong, and in opposition to the fundamental principles of a Republican government; because, if property has anything to do with representation, the first representative district, and not the second, is justly entitled to a majority of the supervisors; for, by equalized valuation of property, we find that the amount in the first district exceeds the amount in the second district by considerable over two hundred thousand dollars, which is much more than the entire valuation of the city of Owosso; and if population or territory is to be represented in either case, the first district has the unquestionable right to a majority upon the board of supervisors, for the reason that its population exceeds that of the second district by an amount almost equal to that of the entire population of the city of Owosso, and its territory exceeds that of the second district by about forty-seven sections of land (forty-seven square miles).

By the incorporation of the city of Corunna, with three supervisors, an act of simple justice has been done not only to Corunna, but to the first district, for in that way only could the first district obtain that representation upon the board of supervisors, which facts and figures demonstrate it is justly and fairly entitled to, and which it will have in the future, if justice triumphs, and said Owosso supervisors, bill is defeated.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 166, entitled

A bill to amend sections 4 and 6, of chapter 42, of the revised statutes of 1846, being sections 1566 and 1568 of the compiled laws, relative to the maintenance of illegitimate children,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was recommitted House bill No. 201, entitled

A bill to authorize the township of Portsmouth, to issue bonds to aid in the construction of a bridge across Beginaw river,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject:

WM. D. WILLIAMS, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Norton,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. G. G. Briggs,

The bill was placed on the order of third reading.

By the committee on military affairs:

The committee on military affairs, to whom was referred the petition of E. W. King and 10 others, citizens of St. Clair county, asking for provisions to be made for payment of services rendered to the State by them, as volunteers, in the year 1861,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the following concurrent resolution:

*Resolved, by the House of Representatives, (the Senate concurring,) That the Quartermaster General of the State be and he is hereby instructed to pay to the non-commissioned staff, non-commissioned officers and musicians of the fifth, sixth and seventh Michigan volunteer infantry, for services rendered by them in the recruiting service, under orders from the State*



authorities, from the 1st day of August, 1861, to the 28th day of August, 1861, both days inclusive, and who did not receive pay for such services.

Your committee would also submit, for the information of the House, the accompanying communication from the Adjutant General of the State, in relation to the claims of the above mentioned petitioners, and would ask that the communication be printed upon the journal;

Recommending that the resolution be adopted, and ask to be discharged from the further consideration of the subject.

GEO. G. BRIGGS, *Chairman*.

The concurrent resolution was laid on the table for one day under the rules.

On motion of Mr. Smith,

The recommendation of the committee was concurred in, and the communication was ordered printed in the journal.

The following is the communication:

ADJUTANT GENERAL'S OFFICE, }  
Detroit, March 9, 1869. }

HON. N. S. BOYNTON, *House Representatives, Lansing:*

DEAR SIR—I have received your letter of yesterday, making inquiries with regard to the matter embraced in the enclosed memorial. In reply I state that the non-commissioned staff, non-commissioned officers and musicians of three regiments, 5th, 6th and 7th infantry, who were in the service of the State at the "Camp of Instruction," at Fort Wayne, in 1861, numbering about 463, would be claimants for such pay, and which would amount to about \$6,500.

With regard to this amount if paid, being refunded by the General Government, I say that I have been informed by the Quartermaster General of the State, that the claim for the similar payments made by the State Paymaster has been allowed, and the amount refunded to the State by the Government.

The reason the payment was not made at the time, was that the regiments were hurried to the front before it could be accomplished.

I consider the claim of these men a just one, and I have always understood that the Government would have made the payment to these men after the regiments went to the field, if pay rolls had been presented to the Pay department for that purpose.

I have the honor to be,

Your most obedient serv't,

JNO. ROBERTSON,

*Adjutant General.*

By the committee on military affairs:

The committee on military affairs, to whom was referred Senate joint resolution No. 20, being

Joint resolution for the relief of Elmina Brainerd,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GEO. G. BRIGGS, *Chairman.*

Report accepted and committee discharged.

The joint resolution was referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred House bill No. 101, entitled

A bill to amend sections 10 and 17, of act No. 163, of session laws of 1861, being an act relative to laying out, altering or discontinuing highways,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

C. SHIER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Walker,

The House concurred in the amendment made to the bill by the committee.

On motion of Mr. R. V. Briggs,

The bill was placed on the order of third reading.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed, and presented to the Governor, the following bills:

A bill to revise and amend an act entitled "An act to revise and amend an act entitled an act to incorporate the city of Bay City," approved March 21, 1865, being act number 348, of the session laws of this State, for the year 1867;

Also,

A bill to amend section 2, of act No. 297, of the session laws of 1865, entitled "An act to appropriate the highway taxes upon certain lands of non-residents in the townships of Orange, Sebawa and Danby, in the county of Ionia, for the purpose of improving the Grand River turnpike, in said township," and to add a new section thereto, to stand as section 9;

Also,

A bill to attach Manitou county to the thirteenth judicial circuit, and to attach Osceola county to the fourteenth judicial circuit;

Also,

A bill to legalize the action of the electors of the township of Romulus, in the county of Wayne, in their having voted to refund moneys paid or advanced by them for the payment of bounties to volunteers, who enlisted to fill the quota of said township under the last call of the President;

Also,

A bill to prevent obstructions being so placed in the channel of the north fork of Bad river, or any of its branches in the counties of Gratiot and Saginaw, as to prevent the free passage of fish up or down said streams;

Also,

A bill to authorize the board of supervisors of the county of Kalamazoo to raise by tax, upon the real and personal property within the county of Kalamazoo, not exceeding the sum of \$2,000, for the purpose of providing a homestead for the widow and children of Col. Benjamin F. Orcutt, deceased;

Also,

A bill to prevent trespass on cranberry marshes;

Also,

A bill to revive and continue in force an act entitled "An act to charter the village of New Baltimore," approved March 23, 1867, and to amend sections one and two of said act;

Also,

A bill to authorize the city of Grand Haven to aid the Detroit and Milwaukee railroad company to extend the line of their road across Grand River from Ferrysburg, into the city of Grand Haven, and to change the location of their depot at Grand Haven, from the west to the east side of Grand river;

Also,

A bill authorizing the locating, establishing and constructing of ditches, drains and water-courses by highway commissioners of townships, and repealing all acts relating thereto.

D. HORTON, *Acting Chairman.*

Report accepted.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to aid in the improvement of the Saginaw and Gratiot State road, and apply certain non-resident highway taxes thereon,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred Senate bill No. 137, entitled

A bill for the relief of school district number four, Ypsilanti, Michigan,

Together with a remonstrance from the citizens of Ypsilanti against the passage of said bill,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the bill do not pass, and ask to be discharged from the further consideration of the subject.

W. H. HURLBUT, *Chairman*.

Report accepted and committee discharged.

Mr. Shier moved that the bill be laid on the table;

Which motion did not prevail.

On motion of Mr. R. V. Briggs,

The bill was referred to the committee of the whole, and placed on the general order.

The remonstrance was laid on the table.

By the committee on State affairs:

The committee on State affairs, to whom was referred Senate bill No. 90, being

A bill to amend an act to provide for the registration of births, marriages and deaths, being act No. 194, session laws of 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman*.

Report accepted and committee discharged.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon.

On motion of Mr. Ingersoll,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was re-committed House bill No. 243, entitled

A bill to amend section 4942, of the compiled laws, as the same stands amended by act approved March 11, 1861,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman*:

Report accepted and committee discharged.

On motion of Mr. Miller,

The House concurred in the amendment made to the bill by the committee.

The bill having been read a third time, and the question being upon its passage,

It was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Hunt,	Mr. Rowleson,
Avery,	Hurlbut,	Seward,
Barnaby,	Huston,	Shaw,
Baxter,	Hutchinson,	Sheldon,
Beall,	Ingersoll,	Sickels,
Blake,	Jewell,	Slayton,
Bestwick,	L. Kendrick,	Smith,
G. G. Briggs,	Kingsley,	Snell,
Brownell,	Klein,	Stewart,
Cameron,	Lane,	Stockbridge,
B. Clark,	Lee,	Thompson,
O. Clark,	Lovell,	Vowles,
Crane,	Mandigo,	Wagner,
Crossman,	McCowen,	Walker,

Curry,  
Doty,  
Dusseau,  
Eaton,  
Eck,  
Fenner,  
Grant,  
Harris,  
Holt,  
Horton,  
Hubbard,

Mead,  
Miles,  
Millington,  
Mitchell,  
Murray,  
Newman,  
Osborn,  
Plimpton,  
Purcell,  
Putnam,  
Riford,

Walton,  
Ward,  
Weier,  
Wendell,  
Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,  
Speaker, 75

## NAYS.

Mr. Romeyn,

1

Mr. Mead moved to amend the title so that it should read  
"A bill to amend an act entitled 'An act to amend sections  
4339, 4340, 4341 and 4348 of the compiled laws, in relation to  
the competency of witnesses and examination of parties in  
certain cases,' approved March 11th, 1861;"

Which motion prevailed.

The title, as amended, was agreed to.

By the committee on internal improvements:

The committee on internal improvements, to whom was  
referred

A bill to enable the city of Marshall to pledge its credit to  
aid in the construction of the Jonesville, Marshall and Grand  
River railroad.

Respectfully report that they have had the same under con-  
sideration, and have directed me to report the same back to the  
House; with the accompanying amendments, recommending that  
the amendments be concurred in, and that the bill, when so  
amended, do pass, and ask to be discharged from the further  
consideration of the subject.

R. B. SMITH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cameron,

The House concurred in the amendments made to the bill by  
the committee.

On motion of Mr. Smith,

The bill was placed on the order of third reading.

By the committee on ways and means:

The committee on ways and means, to whom was referred a joint resolution, entitled

Joint resolution providing for refunding to National banks the taxes paid by them into the State treasury of this State;

Also, a joint resolution entitled

Joint resolution in relation to certain specific taxes upon banks;

Also, the petition of James F. Brown, president, and Douglas Hoyt, cashier of the Merchants' National Bank of East Saginaw, in relation to the tax on national banks, asking for the refunding of the same;

Also, the petition of James W. Norton, cashier of the Lowell National Bank, of Lowell, Michigan, for the same purpose;

Also, the petition of Hugh McCurdy, president of the First National Bank of Corunna, Michigan, for the same purpose;

Also, the petition of E. W. Giddings, president, M. A. Giddings, vice president, and H. O. Smith, cashier of the First National Bank of Romeo, Mich., for the same purpose;

Also, the petition of George J. Crossett, president, and other persons, officers and directors of the National Bank of Constantine, Mich., for the same purpose;

Also, the petition of J. I. Mead, president, and others, the officers and directors of the Second National Bank of Lansing, Mich., for the same purpose;

Respectfully report that said committee has had the same under consideration, and would say that the making of this report has been delayed, at the instance and request of certain persons claiming to act in the interest of certain national banks of this State, and although all the time has been allowed for the presentation of petitions in this behalf, that circumstances seemed to require, yet only a comparatively small number of banks have expressed a desire for the refunding of the taxes referred to in said joint resolutions and petitions. It is, however, but fair to say, in this connection, that several of the banks above mentioned as



presenting petitions, promptly paid all of the taxes provided for in the law referred to in said resolutions, and your committee are of the opinion that had all of said taxes been paid with equal promptness, that none of said petitions would have been presented.

In arriving at the conclusion reached by your committee in regard to said resolutions, as hereinafter set forth, the members of the committee cannot but recollect that, at the time of the passage of the law imposing said taxes, a much larger number of banks were favorable to its passage than the number now asking that said taxes be refunded; in fact, that said mode of taxation was adopted after receiving nearly or quite the unanimous sanction and support of the banks of this State, as then expressed by the officers and agents of said banks. The members of your committee also have in mind the fact, no less unpleasant than true, that a considerable amount of money is annually received into the various treasuries of the State, that has been erroneously or illegally collected, and that many of the items that go to make up this amount are proportionately as great a burden upon those paying the same, as are the taxes in question upon those seeking relief. The framing of laws in relation to taxation is undoubtedly the most difficult branch of legislation—one in which many errors and irregularities must necessarily occur, and one wherein many difficulties are met with in correcting defects in the working of this class of laws. The Legislature ought to correct these evils as far as possible, and afford relief in every case where the nature of the same, and the circumstances attending it, would seem to require that such relief ought to be granted; but your committee are unanimously of the opinion that the instance in question is not one that should come within that requirement, and therefore have directed me to report said joint resolutions back to the House, without amendment, and recommend that they do not pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Horton,

The joint resolutions and petitions were laid on the table.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to amend sections 66, 69, 72, 73, 76, 77, 78, 80, 81, 83, 88, 89, 90, 91, 93, 95, 96, 98, 99, 103, 106, 135, and to repeal sections 67, 70, 74, 75, 79, 82, 87, 94, 97, 100, 101, 104, 105, 107, 108, 109, 110, 111, 112, 113, 114, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 136, 137, 145, 154, of chapter 17, of compiled laws, the same being an act regulating the assessment and collection of taxes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hurlbut,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on lumber interests:

The committee on lumber interests, to whom was referred Senate bill 109, entitled

A bill to amend section two of an act entitled "An act to protect the title of the owners of floating logs and lumber," approved March 27, 1867, and to add a section thereto, to stand as section six,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

G. H. FENNER, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

The committee of three appointed to notify the Senate that the House would meet the Senate in joint convention this morning, at eleven o'clock, to consider any nominations which which His Excellency the Governor may see fit to make to such convention, reported that they had performed that duty, and were discharged.

By the committee on towns and counties:

The committee on towns and counties, to whom was recommended House bill No. 182, entitled

A bill to attach certain unorganized territory to the county of Iosco,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. J. A. Williams,

The bill was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate manuscript bill, entitled

A bill to amend the charter of the village of Jonesville,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

D. L. CROSSMAN, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Crossman,

The rules were suspended, and the bill was placed on the order of third reading

By the committee on education:

The committee on education, to whom was referred

A bill to establish and organize fractional school district No. 7, of the townships of Lenox and Chesterfield, in the county of Macomb, State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. L. BAXTER, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, March 17, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House bill No. 220, entitled

A bill to organize the township of Greenbush, in the county of Alcona;

2. House bill No. 132, entitled

A bill to repeal act number 138, of the session laws of 1865, entitled "An act to attach the county of Manitou to the county of Leelanaw, for certain judicial purposes," approved March 10, 1865;

3. House bill No. 142, entitled

A bill to provide for laying out and establishing a State road in Eaton county, and opening the same;

4. House bill No. 143, entitled

A bill to organize the county of Wexford, and the townships of Hanover, Wexford, Colfax and Springville, therein;

5. House bill No. 148, entitled

A bill to provide for laying out and establishing a State road in Eaton, Ingham and Jackson counties, and opening the same;

6. House bill No. 226, entitled

A bill to organize townships seventeen, eighteen, nineteen and twenty north of ranges thirteen and fourteen west, in the unorganized county of Lake, by the name of Lake;

In the passage of which the Senate has concurred, by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The several named bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 17, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House bill No. 146, entitled

A bill to fix the time of holding probate court in the county of Leelanaw;

2. House bill No. 153, entitled

A bill to authorize the Auditor General to issue new tax deeds, in place of those lost;

3. House manuscript bill, entitled

A bill appropriating two sections of State swamp land to complete the Clio and Chesaning State road;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The several named bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 17, 1869. }

*To the Speaker of the House of Representatives:*

Sir—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 174, entitled

A bill to incorporate the village of Chelsea;

2. Senate bill No. 175, entitled

A bill authorizing the board of control of the State Reform School to convey certain real estate;

3. Senate bill No. 176, entitled

A bill to amend section 19, of chapter 172, of the revised statutes of 1846, being section 6176 of the compiled laws, relative to the salaries of officers and Agent of the State prison;

4. Senate manuscript bill, entitled

A bill to provide for the payment of certain drainage orders outstanding in the county of Oakland;

5. Senate bill No. 47, entitled

A bill to collect, compile and reprint the general laws of this State;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The second named bill was read a first and second time by its title, and referred to the committee on the Reform School.

The third named bill was read a first and second time by its title, and referred to the committee on the State Prison.

The fourth named bill was read a first and second time by title, and referred to the committee on drainage.

The fifth named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 17, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 157, entitled

A bill to authorize the township of Swan Creek, in the county of Saginaw, to aid in the construction of a bridge across the Tittabawassee river, in said county, by issuing the bonds of said township, and to provide for the payment thereof,

And to inform the House that the Senate has amended the same by adding at the end of section 1, the following proviso:

“*Provided*, That no bonds shall be issued, as herein provided, unless authorized by a vote of the qualified electors of said township, at the annual or any special township meeting held therein, for that purpose;”

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Shier moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Hurlbut,	Mr. Seward,
Avery,	Hutchinson,	Shaw,
Barnaby,	Ingersoll,	Sheldon,
Blake,	L. Kendrick,	Shier,
Bostwick,	F. G. Kendrick,	Sickels,

G. G. Briggs,	Kingsley,	Slayton,
R. V. Briggs,	Lee,	Smith,
Brownell,	Lovell,	Snell,
Cameron,	Mandigo,	Stockbridge,
B. Clark,	McCowan,	Swift,
Crane,	McKernan,	Ternes,
Curry,	Mead,	Vowles,
Doty,	Miles,	Wagner,
Dussean,	Miller,	Walker,
Eck,	Millington,	Walton,
Fenner,]	Mitchell,	Weier,
Fuller,	Newman,	Westover,
Goodrich,	Norton,	Wilcox,
Grant,	Osborn,	H. G. Williams,
Harris,	Putnam,	J. A. Williams,
Hartson,	Riford,	Woodard,
Holt,	Riopelle,	Yawkey,
Horton,	Romeyn,	Speaker,
Hunt,	Rowlson,	

71

NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 17, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following joint resolution:

House joint resolution No. 13, entitled

Joint resolution for the relief of Alanson Holbrook,

And to inform the House that the Senate has amended the same by striking out the words "and directed," in line 2 of the resolution;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, has ordered the same to take immediate effect.

Very respectfully,

HENRY S. SLEEPER,  
*Secretary of the Senate.*



**Mr. Sanford** moved that the House concur in the amendments made to the joint resolution by the Senate;

Which motion prevailed, by yeas and nays, as follows:

## YEAS.

<b>Mr. Ashley,</b>	<b>Mr. F. G. Kendrick,</b>	<b>Mr. Sheldon,</b>
<b>Avery,</b>	<b>Kingsley,</b>	<b>Shier,</b>
<b>Barnaby,</b>	<b>Lane,</b>	<b>Sickels,</b>
<b>Baxter,</b>	<b>Lee,</b>	<b>Slayton,</b>
<b>Beall,</b>	<b>Lovell,</b>	<b>Smith,</b>
<b>Blake,</b>	<b>Mandigo,</b>	<b>Snell,</b>
<b>G. G. Briggs,</b>	<b>McCowan,</b>	<b>Stewart,</b>
<b>R. V. Briggs,</b>	<b>McKernan,</b>	<b>Stockbridge,</b>
<b>Cameron,</b>	<b>Mead,</b>	<b>Swift,</b>
<b>B. Clark,</b>	<b>Miller,</b>	<b>Ternes,</b>
<b>Curry,</b>	<b>Millington,</b>	<b>Vowles,</b>
<b>Dusseau,</b>	<b>Mitchell,</b>	<b>Wagner,</b>
<b>Eck,</b>	<b>Murray,</b>	<b>Walker,</b>
<b>Fenner,</b>	<b>Newman,</b>	<b>Walton,</b>
<b>Fuller,</b>	<b>Norton,</b>	<b>Weier,</b>
<b>Goodrich,</b>	<b>Osborn,</b>	<b>Wendell,</b>
<b>Grant,</b>	<b>Purcell,</b>	<b>Westover,</b>
<b>Hartson,</b>	<b>Putnam,</b>	<b>Wilcox,</b>
<b>Holt,</b>	<b>Riopelle,</b>	<b>H. G. Williams,</b>
<b>Hunt,</b>	<b>Romeyn,</b>	<b>J. A. Williams,</b>
<b>Hurlbut,</b>	<b>Sanford,</b>	<b>W. D. Williams,</b>
<b>Hutchinson,</b>	<b>Seward,</b>	<b>Yawkey,</b>
<b>Ingersoll,</b>	<b>Shaw,</b>	<b>Speaker,</b>
<b>L. Kendrick,</b>		

70

## NAYS.

0

The joint resolution was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 17, 1869. }

*To the Speaker of the House of Representatives:*

**Srs**—I am instructed to return to the House the following joint resolution:

House joint resolution No. 17, entitled

Joint resolution requesting our representatives in Congress to call the attention of the Indian Department to the necessity of having the Indians of this State vaccinated, &c.,

And to inform the House that the Senate has amended the title, by striking out "etc;,"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

On motion of Mr. Brownell,

The House concurred in the amendment made to the title of the joint resolution by the Senate.

The joint resolution was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 17, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following joint resolution:

House joint resolution No. 16, entitled

Joint resolution urging upon our Senators and Representatives in Congress the importance of securing to certain Indians, and other persons, their rights to Indian reservation lands in Minskegon county,

And to inform the House that the Senate has amended the same by striking out the words "His Excellency," in line one of the second resolution;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Holt moved that the House concur in the amendments made to the bill by the Senate;

Which motion did not prevail, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Hutchinson,	Mr. Rowson,
Barnaby,	F. G. Kendrick,	Sanford,
Baxter,	Kingsley,	Shier,
Beall,	Klein,	Smith,
Blake,	Lee,	Stewart,
Bostwick,	Mandigo,	Stockbridge,
Cameron,	McCowen,	Swift,
Curry,	McKernan,	Thompson,
Eck,	Mead,	Vowles,
Fenner,	Miller,	Wendell,
Fuller,	Millington,	Westover,
Gifford,	Murray,	Wilcox,
Goodrich,	Newman,	W. D. Williams,
Harris,	Osborn,	Yawkey,
Hartson,	Purell,	Speaker,
Hunt,		46.

## NAYS.

Mr. Avery,	Mr. Huston,	Mr. Sickels,
Boynton,	Ingersoll,	Slayton,
R. V. Briggs,	L. Kendrick,	Snell,
Brownell,	Lane,	Ternes,
B. Clark,	Lovell,	Wagner,
Crane,	Mitchell,	Walker,
Doty,	Riford,	Walton,
Dussau,	Riopelle,	Ward,
Eaton,	Romeyn,	Weier,
Grant,	Seward,	H. G. Williams,
Holt,	Shaw,	J. A. Williams,
Hurlbut,	Sheldon,	35.

Mr. Holt moved to reconsider the vote by which the House refused to concur in the amendments made to the joint resolution;

Which motion did not prevail.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, March 17, 1890.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 149, entitled

A bill to provide for the laying out and establishing a State road from Caro to Hurd's corners, in Tuscola county,

And to inform the House that the Senate has amended the same, by striking out in line 2, of section 2, the words "to be surveyed and." Also, by striking out in line 4, of section 7, the word "December," and inserting in place thereof the word "November;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Brownell moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Huston,	Mr. Rowleson,
Avery,	Hutchinson,	Sanford,
Baxter,	Ingersoll,	Seward,
Beall,	Jewell,	Shaw,
Blake,	L. Kendrick,	Sheldon,
Bostwick,	F. G. Kendrick,	Shier,
G. G. Briggs,	Kingale,	Slayton,
Brownell,	Klein,	Snell,
Cameron,	Lane,	Stewart,
B. Clark,	Lee,	Swift,
Cogshall,	Lovell,	Ternes,
Crane,	Mandigo,	Thompson,
Crossman,	McCowen,	Vowles,
Curry,	Mead,	Walker,
Doty,	Miller,	Walton,
Dussean,	Millington,	Ward,
Eaton,	Mitchell,	Weier,
Eck,	Murray,	Wendell,
Fenner,	Newman,	Westover,
Gifford,	Norton,	Wilcox,
Goodrich,	Osborn,	H. G. Williams,
Grant,	Purcell,	J. A. Williams,
Hartson,	Putnam,	W. D. Williams,

Horton,  
Hunt,  
Hurlbut,

Riford,  
Riopelle,  
Romeyn,

Woodward,  
Yawkey,  
Speaker, 78

NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 17, 1869. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 85, entitled

A bill for the protection of fish in the waters of the inland lakes and streams of the county of Kalamazoo,

And to inform the House that the Senate has amended the same by striking out in line 2 of section 1, the words "and streams;" also, by striking out all of section 2 after the word "exclusively," in line 3, and inserting in place thereof the words "appropriated to the support of the township library;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Cameron moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Avery,  
Baxter,  
Beall,  
Blake,  
Bostwick,  
G. G. Briggs,  
R. V. Briggs;

Mr. Hubbard,  
Hunt,  
Hurlbut,  
Huston,  
Hutchinson,  
Jewell,  
L. Kendrick,

Mr. Shaw,  
Sheldon,  
Shier,  
Sickels,  
Slayton,  
Smith,  
Snell,

Brownell,	F. G. Kendrick,	Stewart,
Cameron,	Kingsley,	Stockbridge,
B. Clark,	Lane,	Swift,
Cogshall,	Lee,	Ternes,
Crane,	McCowan,	Thompson,
Crossman,	Miller,	Vowles,
Curry,	Murray,	Walker,
Doty,	Newman,	Walton,
Dusseau,	Norton,	Weier,
Eaton,	Osborn,	Wendell,
Eck,	Plimpton,	Westover,
Fenner,	Purcell,	Wilcox,
Fuller,	Riford,	H. G. Williams,
Gifford,	Riopelle,	J. A. Williams,
Goodrich,	Romeyn,	W. D. Williams,
Grant,	Rowson,	Woodard,
Hartson,	Sanford,	Yawkey,
Holt,	Seward,	Speaker, 15
	NAYS.	

Mr. Lovell,

1

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBERS,  
Lansing, March 17, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:  
House bill No. 109, entitled

A bill to prohibit, discourage and punish prize fighting within the State of Michigan;

And to inform the House that the Senate has amended the same by striking out in line 2, of section 2, the words "or furnish any material therefor; also, by inserting after the word "jail," in line 3, of section 3, the words "or the Detroit House of Correction;" also, by striking out in section 4, all after the word "State," in line 4, to and including the word "State," at the end of line 5; also, by inserting after the word "jail," in line 4, the words "or Detroit House of Correction;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Riford moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Hubbard,	Mr. Shaw,
Avery,	Hunt,	Sheldon,
Barnaby,	Hurlbut,	Shier,
Baxter,	Huston,	Slayton,
Blake,	Hutchinson,	Smith,
Bostwick,	Ingersoll,	Snell,
Brownell,	Jewell,	Stewart,
Cameron,	L. Kendrick,	Stockbridge,
B. Clark,	Kingsley,	Swift,
Cogshall,	Klein,	Ternes,
Crane,	Lee,	Thompson,
Crossman,	Lovell,	Vowles,
Curry,	McCowan,	Walker,
Doty,	Miller,	Walton,
Dusseau,	Murray,	Ward,
Eck,	Newman,	Weier,
Fenner,	Norton,	Westover,
Fuller,	Osborn,	Wilcox,
Gifford,	Putnam,	H. G. Williams,
Goodrich,	Riford,	J. A. Williams,
Harris,	Romeyn,	W. D. Williams,
Hartson,	Sanford,	Yawkey,
Horton,	Seward,	Speaker, 69

NAYS.

Mr. G. G. Briggs,	Mr. F. G. Kendrick,	Mr. Purcell,
Baton,	Lane,	Biopelle, 6

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Sergeant-at-Arms announced the Private Secretary of the Governor, who transmitted to the House a message from His Excellency, the Governor, in writing.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 17, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House bill No. 140, entitled

A bill to repeal sections 1 and 2, of act No. 471, of the session law of 1867, entitled an act appropriating certain non-resident highway taxes for the improvement of certain State roads, and providing for the construction and improvement thereof, and to amend section three of the same act;

2. House bill No. 237, entitled

A bill to amend an act to incorporate the city of Grand Rapids, approved April 2, 1850, as amended by the several acts amendatory thereof, and to add three new sections thereto, to stand as sections forty-three, forty-four and forty-five;

3. House bill No. 225, entitled

A bill to attach the west half of the unorganized county of Clare to the county of Mecosta, and to the township of Big Rapids, for judicial and municipal purposes;

4. House bill No. 227, entitled

A bill to attach townships Nos. 17, 18, 19 and 20 north, of range No. 12 west, in the unorganized county of Lake, to the township of Chase, and attaching said township of Chase, being townships 17, 18, 19 and 20 north, of ranges 11 and 12 west, in the unorganized county of Lake, to the county of Osceola, when fully organized;

5. House bill No. 231, entitled

A bill to organize the township of Colfax, in the county of Mecosta;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same



to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The several named bills were referred to the committee on engrossment and enrollment, for enrollment.

MESSAGE FROM THE GOVERNOR.

By unanimous consent, the Speaker announced the following:

EXECUTIVE OFFICE,  
Lansing, March 17, 1869. }

*To the House of Representatives:*

I have approved, signed and deposited in the office of the Secretary of State:

An act authorizing the locating, establishing and constructing of ditches and drains and water courses by highway commissioners of townships, and repealing all acts relating thereto;

Also,

An act to revive and continue in force an act entitled "an act to charter the village of New Baltimore," approved March 23, 1867, and to amend sections 1 and 2 of said act;

Also,

An act to prevent obstructions being so placed in the channel of the north fork of Bad river, or any of its branches, in the counties of Gratiot and Saginaw, as to prevent the free passage of fish up or down said streams;

Also,

An act to legalize the action of the electors of the township of Romulus, in the county of Wayne, in their having voted to refund moneys paid or advanced by them for the payment of bounties to volunteers who enlisted to fill the quota of said township under the last call of the President;

Also,

An act to attach Manitou county to the 13th judicial circuit, and to attach Osceola county to the 14th judicial circuit;

Also,

An act to authorize the board of supervisors of the county of Kalamazoo to raise by tax upon the real and personal property within the county of Kalamazoo, not exceeding the sum of two thousand dollars, for the purpose of providing a homestead for the widow and children of Col. Benjamin F. Orant, deceased;

Also,

An act to amend section 2, of act No. 297, of the session laws of 1865, entitled "an act to appropriate the highway taxes upon certain lands of non-residents in the townships of Orange, Sebewa and Danby, in the county of Ionia, for the purpose of improving the Grand river turnpike, in said township," and to add a new section thereto, to stand as section 9;

Also,

An act to prevent trespass upon cranberry marshes;

Also,

Joint resolution for the relief of Charles Chandler, administrator of the estate of James McDonald;

Also,

Joint resolution asking the Congress of the United States to make an appropriation for the completion of the harbor at the mouth of the Ontonagan river.

HENRY P. BALDWIN.

The message was laid on the table.

By unanimous consent, the committee on banks and incorporations submitted the following report:

The committee on banks and incorporations, to whom was referred

A bill to amend act No. 244, of the session laws of 1865, entitled "An act to incorporate the village of Mackinaw," and to add certain sections thereto, to stand as sections — of said act

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass.

and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to authorize the Kalamazoo and Grand Rapids plank road company to vacate certain parts of said road;

Also: the petition of David E. Earl, A. V. Monroe, H. Olsen, C. Adams, N. E. Deyo and 110 others, citizens of Kalamazoo and Allegan counties, praying for the abatement, in whole or in part, of a nuisance known as the Kalamazoo and Grand Rapids plank road company,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Brownell,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 169, entitled

A bill to amend an act, entitled "an act to incorporate the city of Pontiac," approved March 15, 1861, and to add 2 new sections thereto,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 146, entitled

A bill to authorize the mayor, recorder and aldermen of the city of Ann Arbor to borrow money and issue bonds to aid in furnishing said city with water,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 173, entitled

A bill to revise the charter of the village of Wayland,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman*

Report accepted and committee discharged.

On motion of Mr. Gifford,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

Mr. Sanford, by unanimous consent, moved to discharge the committee of the whole from the further consideration of House bill No. 263, entitled

A bill to authorize the township of Delhi, in the county of Ingham, to raise by tax a sum of money, for the purpose of draining a swamp in said township;

Which motion prevailed.

On motion of Mr. Sanford,

The bill was placed on its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Sanford moved to amend the bill as follows: By striking out in line 5, section 1, all after the word "Delhi," to and including the word "work" in the 6th line of section 1; also, by striking out the word "said" in line 3, section 2, and inserting the word "the;" also, by inserting in the same line and section, after the word "commissioner," the words "hereinafter provided for;" also, in the same line, by striking out the word "with," and inserting the words "who shall have;" also, by inserting after the word "bonds," in line 5, section 2, the words "to be given by the contractors for such work;" also, in line 6, same section, by striking out the word "for" after the word "determine;" also, in the same line and section, by striking out the word "acceptance" after the word "and," and inserting the words "to accept the work;" also, in line 7, of same section, to insert after the word "all," the word "other;" also, to insert in line 1, of section 3, after the word "to," the words "appoint the commissioner provided for in this act, and to," also, by striking out the word "appear," in line 2, of section 3; also, by striking out in line 3, section 3, after the word "township,"

the words "for the payment of," and inserting the words "to pay for," and to add to section 3, the words "and accepted;"

Which were agreed to.

Mr. Plimpton moved that the bill be laid on the table;

Which motion did not prevail.

Mr. Hunt moved to further amend the bill by making H. G. Bingham the special commissioner provided for in the act;

Which was not agreed to.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Hurlbut,	Mr. Shaw,
Avery,	Huston,	Shier,
Barnaby,	Hutchinson,	Slayton,
Baxter,	Ingersoll,	Smith,
Beall,	Jewell,	Snell,
Blake,	L. Kendrick,	Stewart,
Bostwick,	Kingale,	Stockbridge,
Boynnton,	Lane,	Swift,
G. G. Briggs,	Lee,	Ternes,
Cameron,	Lovell,	Vowles,
B. Clark,	McCowen,	Wagner,
Crane,	McKernan,	Walker,
Curry,	Mead,	Walton,
Doty,	Miller,	Ward,
Eaton,	Millington,	Weier,
Eck,	Murray,	Wendell,
Fenner,	Norton,	Wilcox,
Fuller,	Osborn,	H. G. Williams,
Gifford,	Purcell,	J. A. Williams,
Goodrich,	Romeyn,	W. D. Williams,
Grant,	Rowson,	Woodard,
Harris,	Sanford,	Yawkey,
Horton,	Seward,	Speaker,
Hubbard,		

79

## NAYS.

Mr. Hunt,	Mr. Putnam,	Mr. Sheldon,
F. G. Kendrick,		
Title agreed to.		
On motion of Mr. Sanford,		

4

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Bomeyn, by unanimous consent, moved to discharge the committee of the whole from the further consideration of House bill No. 279, entitled

A bill to amend an act entitled "An act to revise the charter of the city of Detroit," approved Feb. 5, 1857, as amended by several acts amendatory thereto;

Which motion prevailed.

On motion of Mr. Bomeyn,

The bill was recommitted to the committee on banks and incorporations.

By unanimous consent, the committee on towns and counties submitted the following report:

The committee on towns and counties, to whom was recommit-  
ted House bill No. 198, entitled

A bill to provide for the election by the people of county superintendents of the poor, and to repeal certain acts relative thereto,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to provide for election by the people of county superintendents of the poor, and to repeal certain acts relative thereto;

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

Mr. Ingersoll moved that the House concur in the adoption of the substitute reported by the committee;

Pending which,

On motion of Mr. Ingersoll,

The bill was laid on the table.

Mr. Yawkey moved to discharge the committee of the whole

from the further consideration of House bill No. 249, entitled

A bill to repeal act No. 4, of the session laws of 1865, entitled "An act to provide for the improvement of the Saginaw river, and to authorize the county of Saginaw to loan money in aid thereof, and to provide for the paying over and disposal of the funds and property in the hands of the dredging commissioners of Saginaw county;"

Which motion prevailed.

On motion of Mr. Yawkey,

The bill was recommitted to the committee on ways and means.

Mr. Huston moved that a committee of three be appointed to wait on the Senate, and inform that body that the House is now ready to receive them in joint convention;

Which motion prevailed.

The Speaker appointed Messrs. Huston, Walker and R. V. Briggs as such committee.

After a short absence the committee reported that they had performed the duty assigned them, and were discharged.

The Sergeant-at-Arms announced the Honorable the Senate, who were conducted to seats.

#### PROCEEDINGS IN JOINT CONVENTION.

The joint convention was called to order by the President.

The roll of the Senate was called by the Secretary thereof, and a quorum was reported present.

The roll of the House was called by the Clerk thereof, and a quorum was reported present.

The President announced that the joint convention had assembled to receive and consider any nominations which His Excellency the Governor might see fit to make to the convention.

Representative Ingersoll moved that a committee of three be appointed to wait on the Governor and inform him that the joint convention has assembled, and is ready to receive any communication which he may be pleased to make.



The President appointed Representatives Ingersoll and Kingale and Senator Rich as such committee.

After a short absence, the committee reported that they had performed the duty assigned them, and that the Governor would communicate immediately with the joint convention, in writing.

The Sergeant-at-Arms announced the Private Secretary of the Governor, who transmitted to the joint convention, from His Excellency, the Governor the following message, in writing

EXECUTIVE OFFICE, }  
Lansing, March 18, 1869. }

*To the Joint Convention:*

I hereby nominate to the office of Adjutant General, John Robertson.

I also nominate Friend Palmer to the office of Quartermaster General.

I also nominate Russell A. Alger to the office of Inspector General.

I also nominate to the office of Trustee of the Michigan Institution for educating the Deaf and Dumb and the Blind, James B. Walker, for the full term of six years, his term of office having expired.

I also nominate to the office of Trustee of the Michigan Institution for educating the Deaf and Dumb, and the Blind, George W. Fish, for four years, being for the unexpired term of Benjamin Pierson, deceased.

I also nominate to the office of Trustee of the Michigan Institution for educating the Deaf and Dumb and the Blind, Daniel L. Case, for two years, being the unexpired term of John P. LeRoy, deceased.

HENRY P. BALDWIN.

Senator Boies moved that the joint convention do advise and consent to the nomination of John Robertson to the office of Adjutant General.

Senator Norris moved, as an amendment to the motion, that the joint convention do advise and consent to all the nominations made by the Governor in his message, *in gross*;

Which amendment was accepted.

The question then being upon advising and consenting to the nominations contained in the message of the Governor,

The Secretary of the Senate called the roll of the Senate, with the following result:

## YEAS.

Mr. Adair,	Mr. Mason,	Mr. Slocum,
Andrews,	Mills,	T. G. Smith,
Boies,	Morton,	Standish,
Bonina,	Norris,	Thomas,
Carleton,	Pearl,	Turner,
Conkling,	Peirce,	Willard,
FitzGerald,	Phillips,	Winsor,
Jenks,	Prutzman,	Wood,
Jones,	Rich,	Woodward,
Koon,		

23

## NAYS.

0

The Clerk of the House called the roll of the House, with the following result:

## YEAS.

Mr. Ashley,	Mr. Horton,	Mr. Riopelle,
Avery,	Hubbard,	Romeyn,
Barnaby,	Hunt,	Rowson,
Baxter,	Hurlbut,	Sanford,
Beall,	Huston,	Seward,
Blake,	Hutchinson,	Shaw,
Bostwick,	Ingersoll,	Sheldon,
Boynton,	Jewell,	Shier,
G. G. Briggs,	L. Kendrick,	Sickels,
R. V. Briggs,	F. G. Kendrick,	Smith,
Brownell,	Kingsley,	Snell,
Cameron,	Klein,	Stockbridge,
B. Clark,	Lane,	Swift,
O. Clark,	Lee,	Ternes,
Cogshall,	Lovell,	Thompson,
Crane,	Mandigo,	Vowles,
Crossman,	McCowen,	Wagner,
Curry,	McKernan,	Walker,
Doty,	Mead,	Walton,
Dussseau,	Miller,	Ward,
Eaton,	Millington,	Weier,
Eck,	Mitchell,	Wendell,
Fenner,	Murray,	Westover,

Fuller,  
Gifford,  
Goodrich,  
Grant,  
Harris,  
Hartson,  
Holt,

Newman,  
Norton,  
Osborn,  
Plimpton,  
Purcell,  
Putnam,  
Riford,

Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Yawkey,  
Speaker,

89

# NAYS.

Mr. Miles,

Mr. Slayton,

Mr. Woodard,

3

The President announced that a majority of all the members of the joint convention having voted in favor of advising and consenting to the nominations of the Governor, contained in his message to the joint convention, they were duly advised and consented to.

On motion of Senator Rich,

The joint convention then adjourned *sine die*.

HENRY S. SLEEPER,

*Secretary of the Senate,*

N. B. JONES,

*Clerk of the House of Representatives,*

*And Secretaries of the Joint Convention.*

The Senators having retired, the House was called to order by the Speaker.

Roll called: quorum present.

# THIRD READING OF BILLS

House bill No. 201, entitled

A bill to authorize the township of Portsmouth to issue its bonds to aid in the construction of a bridge across Saginaw river,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

# YEAS.

Mr. Ashley,  
Barnaby,  
Baxter,  
Beall,  
Blake,

Mr. Huston,  
Hutchinson,  
Ingersoll,  
Jewell,  
L. Kendrick,

Mr. Sanford,  
Shaw,  
Sheldon,  
Slayton,  
Smith,

Bostwick,	F. G. Kendrick,	Snell,
G. G. Briggs,	Kingsley,	Stewart,
B. Clark,	Klein,	Stockbridge,
O. Clark,	Lane,	Swift,
Cogahall,	Lee,	Ternes,
Crane,	Lovell,	Thompson,
Crossman,	Mandigo,	Vowles,
Doty,	McCowen,	Wagner,
Dusean,	Millington,	Walker,
Eaton,	Mitchell,	Walton,
Eck,	Murray,	Weier,
Fenner,	Newman,	Wendell,
Fuller,	Norton,	Westover,
Goodrich,	Osborn,	Wilcox,
Grant,	Putnam,	J. A. Williams,
Harris,	Riford,	W. D. Williams,
Horton,	Riopelle,	Woodard,
Hubbard,	Romeyn,	Yawkey,
Hunt,	Rowlson,	Speaker,
Hurlbut,		

73

NAYS.

0

Mr. W. D. Williams moved to amend the title by inserting after "Portsmouth," the words "in the county of Bay;"

Which motion prevailed.

The title as amended, was agreed to.

On motion of Mr. G. G. Briggs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 101, entitled

A bill to amend sections 10 and 17, of act number 163, of session laws of 1861, being an act relative to laying out, altering or discontinuing highways,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Woodard moved to amend, by inserting in line 6, of section 17, after the words "ten years or more," the words "and being surveyed and recorded at any time by the commissioners of highways, as provided in this act;"

Which was not agreed to.

On motion of Mr. Woodard,

The bill was laid on the table.

House bill No. 100, entitled

A bill to amend sections 66, 69, 72, 73, 76, 77, 78, 80, 81, 83, 88, 89, 90, 91, 93, 95, 96, 98, 99, 103, 106, 135, and to repeal sections 67, 70, 74, 75, 79, 82, 87, 94, 97, 100, 101, 104, 105, 107, 108, 109, 110, 111, 112, 113, 114, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 136, 137, 145, 154, of chapter 17, of compiled laws, the same being "An act regulating the assessment and collection of taxes,"

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Smith,

The bill was laid on the table.

Senate manuscript bill, entitled

A bill to amend the charter of the village of Jonesville,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ashley,	Mr. Hutchinson,	Mr. Sickels,
Barnaby,	Ingersoll,	Slayton,
Baxter,	L. Kendrick,	Smith,
Beall,	F. G. Kendrick,	Snell,
Bostwick,	Kingsley,	Stewart,
R. V. Briggs,	Lane,	Stockbridge,
Cameron,	Lee,	Swift,
B. Clark,	Lovell,	Ternes,
O. Clark,	Mandigo,	Thompson,
Crane,	McCowen,	Vowles,
Curry,	Mead,	Wagner,
Doty,	Miles,	Walker,
Dussean,	Miller,	Walton,
Eaton,	Millington,	Ward,
Eck,	Murray,	Weier,
Fenner,	Newman,	Wendell,
Fuller,	Plimpton,	Westover,
Goodrich,	Putnam,	Wilcox,
Grant,	Riford,	H. G. Williams,
Harris,	Riopelle,	J. A. Williams,
Horton,	Romeyn,	W. D. Williams,
Hubbard,	Rowlson,	Woodard,

Hunt,  
Hurlbut,  
Huston,

Sanford,  
Sheldon,  
Shier,

Yawkey,  
Speaker,

74

NAYS.

Mr. Osborn,

1

Title agreed to.

On motion of Mr. Baxter,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate manuscript bill, entitled

A bill to enable the city of Marshal to pledge its credit to aid in the construction of the Jonesville, Marshall, and Grand River railroad,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Slayton moved to amend by transposing the words "call a meeting of the electors," in line 3, section 7, so as to stand after "specified" in the same line. Also, by striking out "and," the first word in line 4, of section 7;

Which was not agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,  
Avery.  
Barnaby,  
Beall,  
Bostwick,  
Boynton,  
R. V. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Crossman,  
Curry,  
Doty,  
Dusseau,

Mr. Hunt,  
Hurlbut,  
Huston,  
Hutchinson,  
Ingersoll,  
Jewell,  
L. Kendrick,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lane,  
Lee,  
Lovell,  
Mandigo,  
McCowen,  
McKernan,  
Mead,

Mr. Sanford,  
Seward,  
Shaw,  
Sheldon,  
Shier,  
Sickels,  
Slayton,  
Smith,  
Snell,  
Stewart,  
Stockbridge,  
Swift,  
Turner,  
Thompson,  
Vowles,  
Wagner,  
Walker,

Eaton,  
Eck,  
Fenner,  
Fuller,  
Goodrich,  
Grant,  
Harris,  
Harrison,  
Horton,

Miller,  
Millington,  
Newman,  
Osborn,  
Plimpton,  
Riford,  
Riopelle,  
Romeyn,  
Rowlson,

Walton,  
Ward,  
Weier,  
Wilcox,  
H. G. Williams,  
W. D. Williams,  
Woodard,  
Yawkey,

77

## NAYS.

Mr. Baxter,  
Mitchell,

Mr. Murray,  
J. A. Williams,

Mr. Speaker,

5

Title agreed to.

On motion of Mr. Smith,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By unanimous consent, Mr. Ingersoll moved to reconsider the vote by which the House passed Senate joint resolution No. 10, entitled

Joint resolution making an appropriation of one thousand dollars, for engrossing a roll of honor on parchment, and for binding the same, for State Library, and the original for Adjutant General's office;

Which motion prevailed.

The question being on the passage of the joint resolution, pending the taking the vote thereon,

On motion of Mr. Ingersoll,

The joint resolution was laid on the table.

## MOTIONS AND RESOLUTIONS.

Mr. Crossman moved to discharge the committee of the whole from the further consideration of a bill, entitled

A bill to authorize the formation of companies for the introduction of water into towns, cities and villages in the State of Michigan;

Which motion prevailed.

On motion of Mr. Crossman,

The bill was placed on the order of third reading.

Mr. R. V. Briggs moved to take from the table Senate bill No. 87, entitled

A bill for the incorporation of societies of marksmen;

Which motion prevailed.

The bill having been read a third time, and the question being upon its passage,

It was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Hunt,	Mr. Romeyn,
Avery,	Hurlbut,	Rowlson,
Barnaby,	Huston,	Sanford,
Baxter,	Ingersoll,	Seward,
Beall,	Jewell,	Shaw,
Blake,	F. G. Kendrick,	Sheldon,
Bostwick,	Kingsley,	Slayton,
Boynton,	Kline,	Snell,
R. V. Briggs,	Lane,	Stewart,
Cameron,	Lee,	Stockbridge,
B. Clark,	Lovell,	Swift,
O. Clark,	Mandigo,	Ternes,
Cogshall,	McCowen,	Thompson,
Crane,	Mead,	Vowles,
Crossman,	Miles,	Wagner,
Curry,	Miller,	Walker,
Doty,	Millington,	Walton,
Dusseau,	Mitchell,	Weier,
Eaton,	Murray,	Westover,
Eck,	Newman,	Wilcox,
Fenner,	Osborn,	H. G. Williams,
Fuller,	Plimpton,	J. A. Williams,
Goodrich,	Purcell,	W. D. Williams,
Grant,	Putnam,	Woodard,
Harris,	Riford,	Yawkey,
Hartson,	Riopelle,	Speaker,

78

## NAYS.

0

Title agreed to.

Mr. Ward offered the following:

*Resolved*, That the Sergeant-at-arms be directed to procure the removal of the snow from the side-walk in front of the Capitol grounds;



Mr. Vowles moved to lay the resolution on the table;

Which motion did not prevail.

The resolution was then adopted.

On motion of Mr. Cameron,

The House took a recess until two o'clock this afternoon

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

The House resumed business under the order of

MOTIONS AND RESOLUTIONS.

Mr. Stockbridge moved to take from the table Senate bill No. 71, entitled

A bill to amend sections 12, 16 and 26, of chapter 123, of the revised statutes of 1846, of forcible entries and detainers, being sections 4985, 4989 and 4999, of the compiled laws, and to repeal act No. 94, of the session laws of 1867, approved March 25, 1867;

Which motion prevailed.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Romeyn moved to amend by adding at the end of line 6 of recited section 12, the following: "or where rent shall have become due on only such lease or agreement, and demand of the rent or possession of the premises is waived therein in writing, and not included in the printed form of the lease or agreement;" also, by adding after the words "and premises," in line 9, of recited section 12, the words "unless waived as aforesaid;"

Which were agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashley,  
Avery,  
Barnaby,

Mr. Goodrich,  
Grant,  
Harris,

Mr. Putnam,  
Riford,  
Romeyn,

Baxter,	Hartson,	Seward,
Beall,	Horton,	Shaw,
Blake,	Hurlbut,	Sheldon,
Bostwick,	Hutchinson,	Smith,
Boynton,	L. Kendrick,	Snell,
G. G. Briggs,	F. G. Kendrick,	Stewart,
R. V. Briggs,	Kingsley,	Stockbridge,
Cameron,	Klein,	Ternes,
O. Clark,	Lane,	Thompson,
Cogshall,	Lee,	Vowles,
Crane,	Lovell,	Wagner,
Curry,	McKernan,	Walker,
Davis,	Millington,	Weier,
Doty,	Mitchell,	Westover,
Dussean,	Murray,	H. G. Williams,
Eaton,	Newman,	J. A. Williams,
Eck,	Norton,	W. D. Williams,
Fenner,	Osborn,	Woodard,
Fuller,	Plimpton,	Yawkey,
Gifford,	Parcell,	Speaker, 69

## NAYS.

Mr. Slayton,

1

Title agreed to.

Mr. Shier moved to discharge the committee of the whole from the further consideration of Senate bill No. 137, entitled

A bill for the relief of school district No. 4 of Ypsilanti, Michigan;

Which motion prevailed.

On motion of Mr. Shier.

The bill was placed on its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Shier moved to strike out all after the enacting clause;

Which motion prevailed.

On motion of Mr. Shier,

The enacting clause was laid on the table.

Mr. Yawkey moved to take from the table House joint resolution No. 25, entitled

Joint resolution in relation to the claim of the State against E. H. Hazelton & Co.;

Which motion prevailed.

On motion of Mr. Yawkey,

The joint resolution was placed on its immediate passage.

The joint resolution was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Yawkey moved to amend by striking out all of line 5 after the word "lands," and also the word "acre" in line 6;

Which was agreed to.

The joint resolution was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Ingersoll,	Mr. Rowison,
Avery,	Jewell,	Seward,
Barnaby,	L. Kendrick,	Shaw,
Baxter,	F. G. Kendrick,	Sheldon,
Beall,	Kingsley,	Shier,
Bostwick,	Klein,	Sickels,
Boynton,	Lane,	Smith,
B. Clark,	Lee,	Snell,
O. Clark,	Lovell,	Stewart,
Crane,	McCowen,	Stockbridge,
Crossman,	McKernan,	Swift,
Curry,	Mead,	Ternes,
Davis,	Miles,	Vowles,
Doty,	Müller,	Wagner,
Dussean,	Millington,	Walker,
Eaton,	Mitchell,	Walton,
Fenner,	Murray,	Ward,
Gifford,	Newman,	Weier,
Goodrich,	Norton,	Westover,
Grant,	Osborn,	Wilcox,
Harria,	Plimpton,	H. G. Williams,
Hartson,	Putnam,	J. A. Williams,
Horton,	Riford,	Woodard,
Hunt,	Riopelle,	Yawkey,
Hurlbut,	Romeyn,	Speaker,
Hutchinson,		

76

## NAYS.

0

Title agreed to.

On motion of Mr. Yawkey,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

Mr. Crossman moved to discharge the committee of the whole from the further consideration of Senate bill No. 172, entitled

A bill to repeal act No. 334, of the session laws of 1865, entitled "An act to provide for the drainage and reclamation of swamp lands, by means of a State road, to be known as the Courtland and Muskegon river State road;" also act No. 335, of the session laws of 1865, entitled "An act to provide for the drainage and reclamation of swamp lands, by means of the improvement of the Lamont and Zeeland State road, in Ottawa county;" also, act No. 212, of the session laws of 1865, entitled "An act to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches, from Nunica, in Ottawa county, to Muskegon, in Muskegon county, to be known as the Nunica and Muskegon State road;" also, act No. 80, of the session laws of 1865, entitled "An act to provide for the laying out, opening and establishing of a certain State road, in the township of Shiawassee, in the county of Shiawassee;"

Which motion prevailed.

On motion of Mr. Crossman,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Avery,	Mr. Huston,	Mr. Romeyn,
Barnaby,	Hutchinson,	Rowlson,
Baxter,	Ingersoll,	Sanford,
Beall,	Jewell,	Seward,
Boynton,	L. Kendrick,	Shaw,
G. G. Briggs,	F. G. Kendrick,	Sheldon,
R. V. Briggs,	Kingsley,	Shier,
Cameron,	Klein,	Smith,
B. Clark,	Lane,	Snell,
O. Clark,	Lee,	Stewart,
Crane,	Lovell,	Stockbridge,
Crossman,	McCowen,	Ternea,
Curry,	McKernan,	Vowles,
Davis,	Mead,	Wagner,
Doty,	Miles,	Walker,

Dusseau,	Miller,	Walton,
Eck,	Millington,	Ward,
Fenner,	Mitchell,	Weier,
Fuller,	Murray,	Wendell,
Gifford,	Newman,	Westover,
Goodrich,	Osborn,	Wilcox,
Grant,	Plimpton,	H. G. Williams,
Harris,	Purcell,	J. A. Williams,
Hartson,	Putnam,	Woodard,
Horton,	Riford,	Yawkey,
Hunt,	Riopelle,	Speaker,
Hurlbut,		79

NAYS.

0.

Mr. Crossman moved to amend the title by striking out the following:

"Also, act No. 212, of session laws of 1865, entitled 'an act to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches from Nunica, in Ottawa county, to Muskegon, in Muskegon county, to be known as the Nunica and Muskegon State road;'"

Which motion prevailed.

The title, as amended, was agreed to.

Mr. Boynton moved to take from the table, House bill No. 198, entitled

A bill to provide for the election by the people, of county superintendents of the poor, and to repeal act No. 30, of the session laws of 1863, and act No. 207, of the session laws of 1865, and all other acts and parts of acts inconsistent with the provisions of this act;

Which motion prevailed.

The question being upon the adoption of the substitute for the bill reported by the committee on towns and counties,

Mr. Miles moved to amend the substitute, by striking out "St. Clair county;"

Which was not agreed to.

Mr. Cogshall moved to amend, by striking out "Oakland county;"

Which motion prevailed.

Mr. Miles moved that the further consideration of the bill be indefinitely postponed.

Mr. Walker moved that the motion to indefinitely postpone be laid on the table;

Which motion did not prevail.

On motion of Mr. Slayton,

The bill was laid on the table.

Mr. Hurlbut moved to take from the table House bill No. 100, entitled

A bill to amend sections 66, 69, 72, 73, 76, 77, 78, 80, 81, 83, 86, 89, 90, 91, 93, 95, 96, 98, 99, 103, 106, 135, and to repeal sections 67, 70, 74, 75, 79, 82, 87, 94, 97, 100, 101, 104, 105, 107, 108, 109, 110, 111, 112, 113, 114, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 136, 137, 145, 154, of chapter 17, of compiled laws, the same being "An act regulating the assessment and collection of taxes;".

Which motion prevailed.

The bill having been read a third time, and the question being upon its passage,

Pending the taking of the vote thereon,

Mr. Ingersoll moved to lay the bill on the table;

Which motion did not prevail.

Mr. Crossman moved to recommit the bill to the committee of the whole;

Which motion prevailed.

Mr. Gifford moved to discharge the committee of the whole from the further consideration of Senate bill No. 173, entitled

A bill to revise the charter of the village of Wayland;

Which motion prevailed.

On motion of Mr. Gifford,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Barnaby,	Mr. Hartson,	Mr. Rowson,
Baxter,	Hunt,	Seward,
Blake,	Hutchinson,	Shaw,
Bostwick,	Jewell,	Sheldon,
G. G. Briggs,	F. G. Kendrick,	Shier,
R. V. Briggs,	Klein,	Slayton,
Brownell,	Lane,	Smith,
Cameron,	Lee,	Stewart,
B. Clark,	McCowan,	Stockbridge,
O. Clark,	McKernan,	Swift,
Cogshall,	Mead,	Ternes,
Crane,	Miles,	Vowles,
Crossman,	Miller,	Walker,
Curry,	Millington,	Walton,
Davis,	Mitchell,	Ward,
Doty,	Murray,	Wilcox,
Dussau,	Newman,	H. G. Williams,
Eck,	Osborn,	J. A. Williams,
Fuller,	Purcell,	W. D. Williams,
Gifford,	Putnam,	Woodard,
Goodrich,	Riford,	Yawkey,
Grant,	Romeyn,	Speaker,
Harris,		

67

## NAYS.

0

Title agreed to.

On motion of Mr. Gifford,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Osborn moved to take from the table Senate bill No. 110, entitled

A bill to amend an act, entitled "An act to revise the charter of the village of Hudson, being act No. 266, of the session laws of 1867," approved February 27, 1867;

Which motion prevailed.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Osborn moved to amend by striking out in recited section 36, all after the word "appeal," in line 43, up to and including the word "whatever," in line 44;

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Harris,	Mr. Osborn,
Barnaby,	Horton,	Riford,
Baxter,	Hunt,	Rowleon,
Beall,	Hurlbut,	Seward,
Blake,	Huston,	Shaw,
Boswick,	Hutchinson,	Shier,
G. G. Briggs,	Jewell,	Slayton,
Brownell,	F. G. Kendrick,	Stewart,
B. Clark,	Kingsley,	Stockbridge,
O. Clark,	Klein,	Vowles,
Cogshall,	Lane,	Walker,
Crane,	Lee,	Walton,
Crossman,	Lovell,	Wendell,
Davis,	McCowen,	Westover,
Doty,	McKernan,	Wilcox,
Dussean,	Mead,	H. G. Williams,
Eck,	Miles,	J. A. Williams,
Fenner,	Miller,	W. D. Williams,
Fuller,	Millington,	Woodard,
Gifford,	Mitchell,	Yawkey,
Goodrich,	Murray,	Speaker,
Grant,	Norton,	

65

## NAYS.

Mr. Romeyn,

1

Title agreed to.

On motion of Mr. Baxter,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Hunt moved to discharge the committee of the whole from the further consideration of House bill No. 270, entitled

A bill to organize the township of Hamlin, in the county of Eaton;

Which motion prevailed.

On motion of Mr. Hunt,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays as follows:



## YEAS.

<b>Mr. Ashley,</b>	<b>Mr. Hartson,</b>	<b>Mr. Putnam,</b>	
Barnaby,	Hunt,	Romeyn,	
Baxter,	Hurlbut,	Rowlson,	
Beall,	Hutchinson,	Sanford,	
Blake,	Ingersoll,	Seward,	
Bostwick,	Jewell,	Shaw,	
G. G. Briggs,	L. Kendrick,	Shier,	
R. V. Briggs,	F. G. Kendrick,	Slayton,	
Brownell,	Kingalev,	Smith,	
Cameron,	Klein,	Snell,	
B. Clark,	Lane,	Stewart,	
O. Clark,	Lee,	Stockbridge,	
Cogshall,	Lovell,	Swift,	
Crane,	McCowen,	Vowles,	
Crossman,	McKernan,	Walker,	
Davis,	Mead,	Walton,	
Doty,	Miles,	Wendell,	
Dusseau,	Miller,	Westover,	
Eck,	Millington,	Wilcox,	
Fenner,	Mitchell,	H. G. Williams,	
Fuller,	Murray,	W. D. Williams,	
Goodrich,	Newman,	Woodard,	
Grant,	Norton,	Yawkey,	
Harris,	Osborn,	Speaker,	72
	NAYS.		0

Title agreed to.

On motion of Mr. Hunt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Fenner moved to discharge the committee of the whole from the further consideration of House bill No. 280, entitled

A bill appropriating certain non-resident tax to aid in constructing a ditch or drain from a point on Elk Creek, in the county of Sanilac, to a point on the Lexington and Lapeer State road, in Sanilac county;

Which motion prevailed.

On motion of Mr. Fenner,

The bill was placed on its immediate passage;

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Fenner moved to amend by adding a new section, to stand as section 10, and to read as follows:

"Sec. 10. Said ditch or drain shall be so constructed, that in no place it shall be less than twelve feet wide on the top, nor less than five feet wide on the bottom, with an average depth of four feet, and so graded as to drain off the water to the bottom of the same, its entire length;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Hurlbut,	Mr. Seward,
Barnaby,	Huston,	Shaw,
Baxter,	Hutchinson,	Sheldon,
Blake,	Jewell,	Shier,
Bostwick,	F. G. Kendrick,	Sickles,
G. G. Briggs,	Kingsley,	Smith,
R. V. Briggs,	Klein,	Stewart,
Brownell,	Lane,	Stockbridge,
Cameron,	Lee,	Swift,
B. Clark,	Lovell,	Terris,
O. Clark,	McCowen,	Thompson,
Cogshall,	McKerrian,	Vowles,
Crane,	Mead,	Wagner,
Crossman,	Miles,	Walker,
Curry,	Miller,	Walton,
Doty,	Millington,	Weier,
Dusseau,	Mitchell,	Westover,
Eck,	Norton,	Wilcox,
Fenner,	Osborn,	H. G. Williams,
Fuller,	Plimpton,	J. A. Williams,
Goodrich,	Riford,	W. D. Williams,
Grant,	Riopelle,	Woodard,
Harris,	Romeyn,	Yawkey,
Hartson,	Rowison,	Speaker,
Hunt,		

73

#### NAYS.

Mr. Putnam,

1

Title agreed to.

On motion of Mr. Fenner,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Bostwick moved to discharge the committee of the whole from the further consideration of House bill No. 273, entitled

A bill to enlarge the corporate limits and to re-incorporate the village of Union City, under a special charter;

Which motion prevailed.

On motion of Mr. Bostwick,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Hutchinson,	Mr. Shaw,
Barnaby,	Ingersoll,	Sheldon,
Barter,	Jewell,	Shier,
Beall,	L. Kendrick,	Sickels,
Blake,	F. G. Kendrick,	Slayton,
Bostwick,	Kingsley,	Smith,
Brownell,	Klein,	Stewart,
Cameron,	Lane,	Stockbridge,
B. Clark,	Lee,	Swift,
O. Clark,	Lovell,	Ternes,
Cogshall,	McCowen,	Thompson,
Crane,	McKernan,	Vowles,
Curry,	Miles,	Wagner,
Doty,	Miller,	Walker,
Dusseau,	Millington,	Walton,
Eck,	Mitchell,	Weier,
Fenner,	Newman,	Wendell,
Fuller,	Norton,	Westover,
Goodrich,	Osborn,	Wilcox,
Graat,	Phimpton,	H. G. Williams,
Harris,	Putnam,	J. A. Williams,
Hartson,	Riford,	W. D. Williams,
Hubbard,	Riopelle,	Woodard,
Hunt,	Romeys,	Yawkey,
Haribut,	Seward,	Speaker, 75.

#### NAYS.

Mr. R. V. Briggs,

1

Title agreed to.

On motion of Mr. Bostwick,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Fuller moved to discharge the committee of the whole from the further consideration of House bill No. 277, entitled  
A bill to incorporate the city of Big Rapids;

Which motion prevailed.

On motion of Mr. Fuller,

The bill was placed on its immediate passage.

The bill was then read a third time, and pending the taking  
of the vote on the passage thereof,

Mr. Fuller moved to amend the bill by adding thereto four new sections, to stand as sections 65, 66, 67 and 68, and to read as follows:

"Sec. 65. All of township number fifteen north of range ten west, not included in the limits of the city of Big Rapids, and known as the township of Big Rapids, is hereby organized into a separate township, by the name of the township of Big Rapids.

"Sec. 66. The annual township meeting for said township, in the year 1869, shall be held at the house of John Halpine, in the township of Big Rapids, and Luther Cobb, Frederick Mizner, John Halpine and Ruggles Spooner are hereby constituted the board of election thereof, and shall appoint a chairman and clerk, take the necessary oath, and perform all the duties, have the same powers, and make the same returns, as inspectors of election in townships are by law required to do and perform; and in case any of the persons named in this section shall refuse to serve, the vacancies shall be filled in the manner now provided by law.

"Sec. 67. At said township meeting in 1869, there shall be elected one supervisor, one township clerk, one township treasurer, one justice of the peace for the full term of four years, commencing on the fourth day of July, next after his election; one justice of the peace, whose term of office shall expire on the third day of July, 1872; one justice of the peace whose term of office shall expire on the third day of July, 1871; one justice of the peace, whose term of office shall expire on the third day of July, 1870. The terms of office of the justices of the peace, elected for other than the full term, shall commence

immediately on the filing of their bonds, and taking the oath of office, and the term for which each is elected, shall be expressed on the ballot. There shall also be elected one commissioner of highways for the full term, and one for two years; two school inspectors, one for one year, and one for the full term of two years; and four constables.

"Sec. 68. The township clerk of said township of Big Rapids shall continue to perform the duties of clerk of said township until his successor is elected and qualified; and when his successor shall have been duly qualified, he shall deliver to him all of the books, papers and furniture of his office, except chattel mortgages upon property within the limits of said city; such mortgages, with a book containing the entry of the same, shall be delivered to the city clerk, with whom all personal mortgages upon property in said city shall be hereafter filed;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Hurlbut,	Mr. Seward,
Avery,	Hutchinson,	Shaw,
Baxter,	Jewell,	Sheldon,
Beall,	L. Kendrick,	Shier,
Blake,	F. G. Kendrick,	Sickels,
Bostwick,	Kingsley,	Slayton,
Boynton,	Lane,	Smith,
R. V. Briggs,	Lee,	Stockbridge,
Brownell,	Lovell,	Ternes,
Cameron,	McCowen,	Vowles,
B. Clark,	McKernan,	Wagner,
O. Clark,	Mead,	Walker,
Crane,	Miles,	Walton,
Crossman,	Miller,	Ward,
Doty,	Millington,	Weier,
Dusseau,	Mitchell,	Wendell,
Eck,	Newman,	Westover,
Fenner,	Norton,	H. G. Williams,
Fuller,	Osborn,	J. A. Williams,
Goodrich,	Plimpton,	W. D. Williams,
Grant,	Putnam,	Woodard,
Hartson,	Riford,	Yawkey,

Hubbard,  
Hunt,

Riopelle,  
Sanford,

Speaker,

71

NAYS.

0

Mr. Fuller moved to amend the title by adding thereto "and reorganize the township of Big Rapids;"

Which motion prevailed.

The title, as amended, was agreed to.

On motion of Mr. Fuller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Curry moved to discharge the committee of the whole from the further consideration of House bill No. 178, entitled

A bill to amend an act entitled "an act to revise the charter of the city of Flint," approved March 20, 1867.

Which motion prevailed.

On motion of Mr. Curry,

The bill was placed on the order of third reading.

Mr. Yawkey moved to discharge the committee of the whole from the further consideration of House bill No. 265, entitled

A bill to authorize proceedings to collect taxes to defray the expenses of constructing certain ditches in the county of Saginaw, and to appraise the damages arising from the construction of such ditches;

Which motion prevailed.

On motion of Mr. Yawkey,

The bill was placed on its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Yawkey moved to amend the bill as follows:

Amend section 7, in line 1, after the word "commissioners," insert the words "or commissioner;" in line 4, after the words "drainage commissioners," insert the words "or commissioner;" in line 5, strike out the words "the chairman of," and after the word "commissioners," insert "or commissioner;" amend section 8 as follows: In line 2, after the word "commissioners," insert "or commissioner;" in line 7 strike out the words "the

chairman of," and after the word "commissioners," insert "or commissioner;" amend section 9 by inserting after the word "commissioners," in line 2, the words "or commissioner;" amend section 10 by inserting after the words "drainage commissioners," in lines 2, 3 and 6, the words "or commissioner," and striking out the words "the chairman of;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,	Mr. Harris,	Mr. Romeyn,
Avery,	Horton,	Sanford,
Barnaby,	Hubbard,	Seward,
Baxter,	Hunt,	Shaw,
Blake,	Huston,	Shier,
Bostwick,	Hutchinson,	Slayton,
Boynnton,	Jewell,	Smith,
G. G. Briggs,	L. Kendrick,	Stewart,
Brownell,	Kingsley,	Stockbridge,
Cameron,	Lane,	Swift,
B. Clark,	Lee,	Ternes,
O. Clark,	McCowen,	Thompson,
Cogshall,	McKernan,	Vowles,
Crane,	Mead,	Wagner,
Crossman,	Miles,	Walker,
Curry,	Miller,	Walton,
Davis,	Millington,	Ward,
Doty,	Mitchell,	Weier,
Dusseau,	Murray,	Wendell,
Eck,	Newman,	Wilcox,
Fenner,	Norton,	H. G. Williams,
Fuller,	Osborn,	W. D. Williams,
Goodrich,	Plimpton,	Yawkey,
Grant,	Riford,	Speaker, 72

## NAYS.

0

Title agreed to.

On motion of Mr. Baxter,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Avery moved to discharge the committee of the whole from the further consideration of House bill, No. 282, entitled

A bill to organize the township of Bryant, in the county of Montcalm;

Which motion prevailed.

On motion of Mr. Avery,

The bill was placed on its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Avery moved to amend by striking out "Bryant," in line 4, of section 1, and inserting "Reynolds" in lieu thereof;

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Hutchinson,	Mr. Shier,
Avery,	Jewell,	Slayton,
Barnaby,	L. Kendrick,	Smith,
Baxter,	Kingsley,	Snell,
Blake,	Lane,	Stockbridge,
Boynton,	Lee,	Swift,
G. G. Briggs,	Lovell,	Ternes,
R. V. Briggs,	McCowen,	Thompson,
Brownell,	Mead,	Vowles,
Cameron,	Miles,	Wagner,
B. Clark,	Miller,	Walker,
O. Clark,	Millington,	Walton,
Cogshall,	Murray,	Ward,
Crane,	Norton,	Weier,
Crossman,	Osborn,	Wendell,
Davis,	Plimpton,	Westover,
Doty,	Purcell,	Wilcox,
Dusseau,	Putnam,	H. G. Williams,
Eaton,	Riford,	J. A. Williams,
Eck,	Romeyn,	W. D. Williams,
Grant,	Sanford,	Yawkey,
Hubbard,	Seward,	Speaker,
Hunt,	Shaw,	

68

#### NAYS.

0

Mr. Avery moved to amend the title by striking out "Bryant," and inserting "Reynolds" in lieu thereof;

Which motion prevailed.

The title, as amended, was agreed to.



On motion of Mr. Avery,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. R. V. Briggs offered the following:

*Resolved*, (the Senate concurring,) That the Secretary of State cause to be published, with the laws of the present session, all concurrent resolutions which shall be passed during the session; and that the committee on enrolled bills of the Senate and House cause all concurrent resolutions in which an appropriation of money is made, to be properly enrolled and presented to the Governor for his signature.

Laid on the table for one day, under the rules.

GENERAL ORDER.

On motion of Mr. Plimpton,

The House went into committee of the whole, on the general order,

Mr. Baxter in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 81, entitled

A bill to authorize Wellington R. Burt to select 720 acres of State swamp lands, in lieu of a like amount selected by him and sold by the State;

2. House bill No. 175, entitled

A bill to enable the township of Erie, county of Monroe, and State of Michigan, to issue its bonds to aid in the building of a free stone or plank road, on the turnpike leading to Toledo, Ohio, from the north line of said township, to the Ohio State line;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills:

3. House bill No. 163, entitled

A bill to authorize booming companies to take private property for the use of such companies;

4. House bill No. 216, entitled

A bill making it the duty of county, city and township treasurers to report annually to the Auditor General the finances, debt and public property of their respective counties, cities and townships;

5. House bill No. 217, entitled

A bill to provide for the incorporation of societies of Pocahontas tribes of improved order of red men;

6. House bill No. 222, entitled

A bill to amend sections 5 and 6, of chapter 70, of the compiled laws, relative to telegraph companies, as amended by act number 240, of the session laws of eighteen hundred and sixty-three, approved March 20, 1863, sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19, of said chapter 70 of the compiled laws, and section 20, of said act No. 240, of the session laws of 1863, and to repeal section 21 of the same;

7. House bill No. 223, entitled

A bill to authorize the city of Saginaw to raise money to aid in the construction of the Flint and Pere Marquette railway company's railroad, and the Jackson, Lansing and Saginaw railroad, or either of them;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following bills:

8. House bill No. 119, entitled

A bill to amend an act entitled "An act to provide for the selection, care and disposition of the lands donated to the State of Michigan, by act of Congress, approved July 2d, 1862, for

the endowment of colleges for the benefit of agriculture and the mechanic arts, approved March 18th, 1863;

9. House bill No. 196, entitled

A bill to amend section 12, of act No. 208, of the session laws of 1867, entitled an act to amend an act entitled "An act for the incorporation of insurance companies, and defining their powers and duties," approved Feb. 15, 1859, as amended by the several acts amendatory thereof;

10. House bill No. 197, entitled

A bill to suppress incendiary fire, and to secure due care by insured persons against fire;

11. House bill No. 84, entitled

A bill to authorize the several townships and cities in the counties of Bay, Saginaw, Tuscola, Genesee, Lapeer, Oakland, Macomb and Wayne, to aid in the construction of a railroad from the city of Detroit, in the county of Wayne, to the city of Bay, in the county of Bay;

12. House bill No. 240, entitled

A bill to confirm to the Grand Rapids and Indiana railroad company certain lands granted to said corporation, in aid of the construction of its road;

Have directed their chairman to report the same back to the House with the recommendation that they be laid on the table.

B. L. BAXTER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. W. D. Williams,

The House concurred in the amendments made to the first two named bills by the committee, and the bills were placed on the order of third reading.

The third, fourth, fifth, sixth and seventh named bills were placed on the order of third reading.

On motion of Mr. G. G. Briggs,

The House concurred in the recommendation of the committee relative to the eighth, ninth, tenth, eleventh and twelfth named bills, and the bills were laid on the table.

Mr. Sanford moved to reconsider the vote by which the House passed Senate manuscript bill, entitled

A bill to reorganize the sixth, and to create the sixteenth judicial circuit.

Mr. Miles moved to lay the motion to reconsider on the table;

Which motion prevailed.

Mr. Romeyn moved that the House take a recess until 7 o'clock;

Mr. Wilcox moved that the House adjourn;

Which motion did not prevail.

The motion to take a recess then prevailed.

---

EVENING SESSION.

7 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Miles asked and obtained leave of absence for Mr. Cogshall, until to-morrow afternoon.

GENERAL ORDER.

On motion of Mr. Riopelle,

The House went into committee of the whole, on the general order,

Mr. Miles in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 242, entitled

A bill to restrict the running at large of fowls, and such animals as are not usually restrainable by ordinary fence enclosures;

2. House bill No. 251, entitled

A bill to aid the Fenton union agricultural society;

**3. House bill No. 252, entitled**

A bill to amend sections 5, 7, 8, 9, 10, 28, 31, 34, 38, 42, 50, 59, 61, 62, 64, 67, 70, 93 and 95, of an act entitled "An act for the reorganization of the military forces of the State of Michigan," being act No. 16, of the session laws of 1862, approved January 18, 1862, to repeal sections 21, 57 and 58 of said act, and to add thereto a new section, to stand as section No. 97.

**4. House bill No. 255, entitled**

A bill to amend act No. 239, entitled an act to organize union school district No. 1, of the township of Spaulding, in the county of Saginaw, and to authorize said district to borrow money; also to add a new section thereto;

**5. House bill No. 256, entitled**

A bill to legalize the action of fractional school district number one, composed of portions of the townships of Algoma, Plainfield and Cannon, in the county of Kent, at their annual school meeting, held on the 7th day of September, A. D. 1868, in reference to issuing certain bonds;

**6. House bill No. 254, entitled**

A bill to incorporate the village of Wayne;

**7. House bill No. 257, entitled**

A bill to authorize the grants of swamp lands for the Ontonagon and State line State road, to be used for the construction of two roads, from Ontonagan southerly;

**8. House bill No. 260, entitled**

A bill to ascertain and perpetuate township and section lines and corners of original surveys;

**9. House bill No. 264, entitled**

A bill to legalize the action of the board of drain commissioners of Lenawee county, in laying out and establishing certain county drains in said county;

**10. House bill No. 250, entitled**

A bill to authorize and require the laying out and establishment of a State road from the western terminus of Fraser street, as laid down on the recorded map or plat of Corunna, in

the county of Shiawassee, to Washington street, in the city of Owosso;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills:

11. House bill No. 253, entitled

A bill to provide for the construction of a State road, from Isabella, in the county of Isabella, north to Tobacco River, thence north of east to intersect the Midland and Traverse Bay State road;

12. House bill No. 259, entitled

A bill to protect the citizens of Michigan from empiricism, and elevate the standing of the medical profession;

13. House bill No. 261, entitled

A bill to authorize the township board of the township of Fairfield, Shiawassee county, to audit certain accounts;

14. House bill No. 268, entitled

A bill for the encouragement of immigration;

15. House bill No. 266, entitled

A bill to incorporate the city of Muskegon;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration, the following entitled bill:

16. House bill No. 248, entitled

A bill to enable the Rifle River and Wigwam Bay boom company to improve the navigation of Rifle River;

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

The committee of the whole have also had under consideration the following entitled joint resolution:

House joint resolution No. 26, entitled

Joint resolution to legalize the action of certain commissioners in laying out a certain road in town 2 south, and 9 east, in the State of Michigan, as provided by act No. 507, of the session laws of A. D, 1867;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

C. MILES, *Chairman*.

Report accepted and committee discharged.

The first ten named bills were placed on the order of third reading.

On motion of Mr. Baxter,

The House concurred in the amendments made to the eleventh, twelfth, thirteenth, fourteenth and fifteenth named bills by the committee, and the bills were placed on the order of third reading.

On motion of Mr. G. G. Briggs,

The House concurred in the action of the committee in striking out all after the enacting clause of the sixteenth named bill, and the enacting clause was laid on the table.

The joint resolution was placed on the order of third reading.

Mr. L. Kendrick moved to adjourn;

Which motion did not prevail.

Mr. Grant asked and obtained leave of absence for himself, until Wednesday morning.

Mr. Ashley asked and obtained leave of absence for himself, until Monday morning.

Mr. G. G. Briggs, by unanimous consent, offered the following:

*Resolved*, That no member of this House shall be granted leave of absence for any part of the balance of this session, except in case of sickness. .

On motion of Mr. Yawkey,

The resolution was laid on the table.

Mr. Plimpton moved that the House go into committee of the whole on the general order.

On motion of Mr. L. Kendrick,

The House adjourned until to-morrow morning at 9 o'clock.

*Lansing, Friday, March 19, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Straub.

Roll called: quorum present.

Absent without leave: Messrs. Murray and Woodard.

Mr. Davis asked and obtained leave of absence for Mr. Murray, until Tuesday morning.

Mr. Weier asked and obtained leave of absence for Mr. Woodard, for an indefinite time, on account of sickness.

Mr. Seward arose to a question of privilege, and made the following statement: On the 2<sup>d</sup> day of February, I presented to this House a remonstrance endorsed, "remonstrance of D. McIntosh, G. S. Hoppin, R. B. Barker and *one hundred and twenty-nine others*, against the passage of an act detaching certain territory from Niles township, and attaching the same to Bertrand, in Berrien county;" I made an error in endorsing the number of names appended to said remonstrance. The endorsement should have read "*two hundred and twenty-nine others*," instead of "*one hundred and twenty-nine others*," as endorsed and published in the journal. This explanation is due in behalf of the remonstrants, and to correct an error which was unintentional on my part.

#### PRESENTATION OF PETITIONS.

By Mr. Boynton: remonstrance of James W. Sanborn & Co., Fred. L. Wells, and 16 others, citizens of St. Clair county, against the passage of House bill No. 118, entitled

A bill to amend section 1, of act No. 141, of the session laws of 1859, entitled an act to amend chapter 46, of the revised statutes of 1846, relative to timber and lumber floating upon waters or carried upon adjoining lands.

Referred to the committee on lumber interests.

By Mr. Horton: petition of J. L. Cornell and 13 others, for the repeal of the charter of the Fentonville and Flint Plank Road Company.

Referred to the committee on banks and incorporations.



By Mr. Swift: remonstrance of the Michigan Furniture Company against the passage of a bill dissolving said company.

Referred to the committee on banks and incorporations.

By Mr. Ingersoll: petition of Arthur Garrison and 32 others, citizens of Vernon, Shiawassee county, relative to the practice of medicine and surgery.

On motion of Mr. Ingersoll,

The petition was laid on the table.

By Mr. Baxter: petition of J. W. Stevens and 224 others, voters of Tecumseh, asking that the present law dividing Tecumseh and organizing the township of Clinton therefrom, be so amended that the same shall not take effect until first submitted to a vote of the electors of said original township of Tecumseh;

Also: petition of James Nobles and 34 others, voters of Tecumseh, for the same purpose.

Referred to the committee on banks and incorporations.

By Mr. Baxter: petition of Perley Bills and 52 others, asking for the passage of the law dividing the township of Tecumseh, and the incorporation of the township of Clinton therefrom.

Referred to the committee on banks and incorporations.

By Mr. Baxter: remonstrance of Henry Wilson and 129 others, voters of Tecumseh, against dividing the township of Tecumseh.

Referred to the committee on banks and incorporations.

By Mr. Baxter: remonstrance of D. Keyes and 275 others, residents of the township of Clinton, against any legislation to change, in any manner, the act of incorporation.

Referred to the committee on banks and incorporations.

#### REPORTS OF STANDING COMMITTEES.

By the committee on State affairs:

The committee on State affairs, to whom was recommitted Senate bill No. 78, being

A bill to amend sections one, two, three, four, five, six and thirteen, of chapter one hundred and twenty-six, of the re-

vised statutes of 1846, entitled "Of certain liens upon real property," being sections numbered 5068, 5069, 5070, 5071, 5072, 5073 and 5080, of chapter 154, of compiled laws, entitled "Of the lien of mechanics and others,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Riopelle,

The bill was placed on the order of third reading.

By the committee on military affairs:

The committee on military affairs, to whom was referred

A bill to provide for the payment of additional State bounty to volunteer soldiers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

GEO. G. BRIGGS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. J. A. Williams,

The bill was laid on the table.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for the drainage and reclamation of swamp lands by means of the construction and extension of the Newaygo and Dayton State road;

Also,

A bill to repeal Act 30, of session laws of 1864, entitled: "an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches, from Mair, in Iowa county to the north line of Isabella county;"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

B. W. HUSTON, JR., *Chairman.*

Report accepted and committee discharged.

The bills were ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to organize the county of Charlevoix,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

I. D. BEALL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on federal relations:

The committee on federal relations, to whom was referred

Joint resolution asking the United States to establish a break-water, a light-house and fog bell at the Straits of Mackinaw,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

G. W. SWIFT, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on federal relations:

The committee on federal relations, to whom was referred

Joint resolution asking Congress for a grant of land to aid in building a railroad from Little Traverse Bay, via Old Mackinaw, to Marquette, on Lake Superior,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, recommending that the joint resolution do pass, and ask to be discharged from the further consideration of the subject.

G. W. SWIFT, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill for laying out a State road from the village of St. Louis, in Gratiot county, to the village of Newaygo, in Newaygo county, and to appropriate certain non-resident highway taxes for the improvement of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. SHIEB, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the State Prison:

The committee on the State Prison, to whom was referred Senate bill No. 176, entitled

A bill to amend section 19, of chapter 172, of the revised statutes of 1846, being section 6176, of the compiled laws, relative to the salaries of the officers and Agent of the State Prison,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

F. B. STOCKBRIDGE, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, on the 15th of March, 1869, the following joint resolution:

Joint resolution for the relief of Mason Samson.

E. M. MASON, *Chairman*.

Report accepted.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, on the 19th day of March, 1869, the following bills, to-wit:

A bill to authorize the assessment and collection of a tax to defray the expense of grading Cedar street, in the city of Lansing;

Also,

A bill regulating the selection of lands appropriated for the construction of State roads in certain cases, and to provide for taxing the same;

Also,

A bill for the protection of fish in the waters of the inland lakes of the county of Kalamazoo;

Also,

A bill to authorize the Auditor General to issue new tax deeds, in place of those lost;

Also,

A bill to provide for the laying out and establishing the Fremont branch of the Port Sanilac and Tuscola State road;

Also,

A bill to fix the time of holding probate court in the county of Leelanaw;

Also,

A bill appropriating two sections of State swamp land to complete the Clio and Chesaning State road;

Also,

A bill to repeal act No. 138, of the session laws of 1865, entitled "An act to attach the county of Manitou to the county of Leelanaw, for certain judicial purposes," approved March 10, 1865;

Also,

A bill to incorporate the village of Wenona.

E. M. MASON, *Chairman*.

Report accepted.

By the committee on ways and means:

The committee on ways and means, to whom was re-committed House bill No. 249, entitled

A bill to repeal act No. 4, of the session laws of 1865, entitled "An act to provide for the improvement of the Saginaw river, and to authorize the county of Saginaw to loan money in aid thereof, and to provide for the paying over and disposal of the funds and property in the hands of the dredging commissioners of Saginaw county,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

H. H. HOLT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Yawkey,

The House concurred in the amendment made to the bill by the committee.

On motion of Mr. Yawkey,

The bill was placed on the order of third reading.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate joint resolution No. 16, entitled

Joint resolution asking an appropriation to aid the geological survey of this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The joint resolution was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate joint resolution No. 9, entitled

Joint resolution for the relief of Henry Johr, John E. Kitton, John Canan and Francis Krouse,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hartson,

The joint resolution was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the report and resolutions of the select committee on the Detroit river plank road company, together with "a bill to declare the forfeiture of the Detroit river plank road company," respectfully report that they have had the same under consideration, and find that section 1930, of chapter 65, of the compiled laws,

gives the Legislature power to "annul or repeal any corporation formed or created under this act," and that the Detroit river plank road company exercises its rights and franchises under and by virtue of the act of which the foregoing section (1930,) forms a part. Your committee are therefore of the opinion that under that section of the law of 1851, it is perfectly competent for this Legislature to declare the forfeiture of said company's franchises, and beg leave to report the report of the special committee back to the House, together with the bill, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

The report and resolutions referred to were laid on the table.

By the committee on the judiciary:

The committee on judiciary, to whom was referred Senate bill No. 47, entitled

A bill to collect, compile and reprint the general laws of this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Miller,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred



A bill to protect mechanics and other persons for labor done and materials furnished, by creating a lien law,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to protect mechanics and other persons for labor done and materials furnished, by creating a lien law;

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Stewart,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

#### REPORTS OF SPECIAL COMMITTEES.

The committee of conference, on the disagreement of the two Houses, on the amendment made by the Senate to House joint resolution No. 10, by striking therefrom the words "His Excellency," respectfully report that while giving the subject that careful and considerate attention which the subject seems to demand, they found that the Senate, on the 16th inst., amended House bill No. 95, by inserting therein the words "His Excellency," before the word "Governor," and that the House has concurred in the amendment. Such being the case, your committee were, necessarily, led to the conclusion that the Senate cannot consistently complain of the action of the House, so long as they are amenable to the same want of propriety, in the use of language. Your committee, therefore, recommend that the Senate recede from its action, in striking from House joint resolution No. 10, the words "His Excellency," but that

both the House and the Senate hereafter, refrain from the use of similar language in public acts.

All of which is respectfully submitted.

S. PEARL,

*Chairman Senate Committee.*

J. Q. McKERNAN,

*Chairman House Committee.*

Report accepted.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 155, entitled

A bill to amend sections 7, 87, 91, 92, 94, 160 and 213, of act No. 215, of the laws of 1859, entitled "An act to re-incorporate the city of Owosso, approved February 15, 1865;

Also: the petition of R. G. McKee, F. McClintock, and 394 citizens of the county of Shiawassee, asking for the passage of said bill;

Also: eighteen remonstrances from 856 citizens of said county, against the passage of the bill giving the city of Owosso an additional representation of two members on the board of supervisors of said county,

Respectfully report that they have had the same under consideration, and have found that the main objection to the passage of the bill is allowing the city of Owosso four supervisors instead of two, as at present. All parties having compromised upon the matter, your committee have prepared several amendments to the bill, changing the proposed number four, to three; also, several other amendments, at the suggestion of the friends of the bill. They have, therefore, directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Ward,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

The remonstrances were laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
Lansing, March 18, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 33, entitled

A bill to aid in the completion of a bridge across Cass river, near Cass City, Tuscola county;

And to inform the House that the Senate does not concur in its passage.

Very respectfully,

HENRY S. SLEEPER,  
*Secretary of the Senate.*

On motion of Mr. Smith,

The bill was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 18, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 180, entitled

A bill to incorporate the village of Portland, in Ionia county,

And to inform the House that the Senate has amended the same as follows:

1. By striking out in lines 4 and 5, of section 5, the words "and impartially;"
2. By inserting after the word "riding," in line 15, of section 8, the words "or driving;"

3. By striking out in line 64, of section 8, the word "one," and inserting in place thereof the word "ten;"

4. By inserting after the word "village," in line 87, of section 8, the words "exclusive of highway or other special taxes;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Smith moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Hartson,	Mr. Sanford,
Avery,	Horton,	Shaw,
Barnaby,	Hubbard,	Sheldon,
Baxter,	Hunt,	Shier,
Beall,	Huston,	Smith,
Boynnton,	Hutchinson,	Snell,
G. G. Briggs,	Ingersoll,	Stewart,
R. V. Briggs,	Jewell,	Stockbridge,
Brownell,	L. Kendrick,	Swift,
Cameron,	F. G. Kendrick,	Ternes,
B. Clark,	Kingsley,	Vowles,
O. Clark,	Klein,	Wagner,
Crane,	Lane,	Walker,
Curry,	Lee,	Walton,
Davis,	Lovell,	Weier,
Doty,	Mandigo,	Wendell,
Dussean,	McKernan,	Westover,
Eaton,	Millington,	Wilcox,
Eck,	Mitchell,	H. G. Williams,
Fenner,	Norton,	J. A. Williams,
Fuller,	Osborn,	W. D. Williams,
Goodrich,	Plimpton,	Yawkey,
Grant,	Putnam,	Speaker,
Harris,	Riopelle,	

71

NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 18, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following concurrent resolution:

*Resolved, (the Senate concurring,) That from and after Friday, the 26th day of March, 1869, the two Houses will transact no business, other than for the President of the Senate and the Speaker of the House to sign enrolled bills for the approval of the Governor, and the entry of the same on the journals of the proper Houses, by the Secretary and Clerk, and that the time of final adjournment of this Legislature shall be on Tuesday, the 30th day of March, 1869, at 12 o'clock M., of that day;*

And to inform the House that the Senate does not concur in the resolution.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

On motion of Mr. G. G. Briggs,

The resolution was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 18, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to re-transmit the following bill:

Senate bill No. 64, entitled

A bill to provide for free schools, and to amend sections 2264, 2267, 2272, 2275, 2301, 2323, 2350 and 2384, of the compiled laws, being sections 21, 24, 29, 32, 58, 80 and 107, of chapter 78, of the revised statutes of 1846, and section 1 of an act entitled an act to amend the revised statutes, relative to the support of primary schools and the custody of the township libraries.

approved April 2, 1850, and to repeal sections 2276, 2277, 2278, 2283, 2285, 2286, 2287, 2288, 2289, 2290 and 2381, of the compiled laws;

Which the House amended by striking out of line 2, in recited section 24, the words "five months," and in line 3, all except the words "nor less than," and inserting in lieu thereof the words "nine months in districts having eight hundred children over five and under twenty years of age, and not less than three months in districts having from thirty to eight hundred children of like ages;"

Also, by inserting after the word "months," where it first occurs in line 4, of recited section 80, the following: "and in any district having eight hundred or more children of like ages, for nine months;"

And to inform the House that the Senate does not concur in said amendments.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Baxter moved that the House insist on its amendments; Which motion prevailed.

Mr. Baxter moved that there be appointed a committee of conference, consisting of three on the part of the House, and two on the part of the Senate, to confer on the disagreement between the two Houses, on said bill;

Which motion prevailed.

The Speaker announced as such committee on the part of the House, Messrs. Baxter, Horton and Wilcox.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 18, 1869. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 91, entitled

A bill to amend section 1 of an act entitled "An act rendering persons disqualified for sitting as jurors in certain cases,"

approved March 27, 1867, being act No. 129, of the session laws of 1867;

In the passage of which the Senate has concurred, by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March, 18, 1869. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 169, entitled

A bill to amend sections four and seven of an act entitled "an act to authorize the township of Holland, and other townships in the counties of Ottawa and Allegan, to make loans and levy taxes for the improvement of the harbor at the mouth of North Black river, in Ottawa county, approved March 5, 1858,

And to inform the House that the Senate has amended the same by inserting in line 2 of recited section 4, after the word "the," the words "common council of the;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Blake moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

## YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Boynton,  
G. G. Briggs,  
R. V. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Crane,  
Curry,  
Davis,  
Doty,  
Dusseau,  
Eaton,  
Eck,  
Fenner,  
Fuller,  
Goodrich,  
Grant,  
Harris,

Mr. Hartson,  
Horton,  
Hubbard,  
Hunt,  
Hutchinson,  
Ingersoll,  
Jewell,  
L. Kendrick,  
F. G. Kendrick,  
Kingsley,  
Klein,  
Lane,  
Lee,  
Mandigo,  
McCowen,  
McKernan,  
Miller,  
Millington,  
Mitchell,  
Norton,  
Osborn,  
Purcell,  
Putnam,  
Riopelle,

Mr. Sanford,  
Seward,  
Shaw,  
Sheldon,  
Shier,  
Smith,  
Snell,  
Stewart,  
Stockbridge,  
Swift,  
Vowles,  
Wagner,  
Walker,  
Walton,  
Ward,  
Weier,  
Wendell,  
Westover,  
Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Yawkey,  
Speaker,

73

## NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, March 18, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following joint resolution:

House joint resolution No. 20, entitled

Joint resolution instructing the senators and representatives of the State of Michigan, in Congress, relative to the Indian reservation, &c.,

And to inform the House that the Senate has amended the title by striking out "&c." at the end thereof;



In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

On motion of Mr. Baxter,

The House concurred in the amendment made to title of the joint resolution by the Senate.

The joint resolution was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, March 18, 1869.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House bill No. 76, entitled

A bill supplementary to an act entitled “an act to provide for the incorporation of lodges and encampments of the Independent Order of Odd Fellows,” approved March 15, 1865, and to add one section thereto;

2. House bill No. 135, entitled

A bill to organize the county of Benzie;

3. House bill No. 218, entitled

A bill to attach the unorganized counties of Otsego, Crawford, and a portion of Kalkaska, to the townships of South Arm, Torch Lake, Helena and Rapid river;

4. House bill No. 221, entitled

A bill to amend section 1, of act No. 153, of the session laws of 1861, being an act entitled an act to incorporate the public schools of the city of Adrian, approved March 13, 1861;

5. House bill No. 233, entitled

A bill to authorize the school board of fractional school district No. 1, of the townships of Paw Paw and Antwerp, in the county of Van Buren, to convey real estate;

6. House manuscript bill, entitled

A bill to legalize the tax roll of the township of Marquette, in the county of Marquette for the year 1868;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The several named bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 18, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following joint resolutions:

1. House joint resolution No. 22, entitled

Joint resolution relative to navigation between the United States and Canada;

2. House joint resolution No. 23, entitled

Joint resolution relative to the distribution of the laws, journals, documents and joint documents of the session of the Legislature of the year 1869;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The joint resolutions were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 18, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:  
House bill No. 247, entitled

A bill to amend section one of an act entitled "An act to revise the charter of the city of Adrian," approved March 21, 1865,

And to inform the House that the Senate has amended the same by striking out in line 34, of section 3, the words "to the west line of said city," and inserting in place thereof, the words "to Madison street, thence southerly on the centre line of Madison street to the centre line of Michigan avenue, and thence westerly on the centre line of Michigan avenue, and on a line corresponding therewith, to the west line of the city;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

Mr. Walton moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Ashley,	Mr. Hutchinson,	Mr. Romeyn,
Avery,	Ingersoll,	Rowson,
Barnaby,	Jewell,	Sanford,
Baxter,	L. Kendrick,	Seward,
Beall,	F. G. Kendrick,	Shaw,
Blake,	Kingsley,	Sheldon,
Boynton,	Lane,	Shier,
G. G. Briggs,	Lee,	Smith,
Brownell,	Lovell,	Snell,
B. Clark,	Mandigo,	Swift,
O. Clark,	McCowen,	Ternes,
Crane,	McKernan,	Vowles,
Davis,	Mead,	Wagner,
Dusseau,	Miles,	Walker,
Eaton,	Miller,	Walton,
Eck,	Millington,	Weier,
Fenner,	Mitchell,	Westover,
Fuller,	Norton,	Wilcox,
Grant,	Osborn,	H. G. Williams,

Harris,  
Horton,  
Hubbard,  
Hunt,

Plimpton,  
Putnam,  
Riford,  
Riopelle,

J. A. Williams,  
W. D. Williams,  
Yawkey,  
Speaker, 69

NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, March 18, 1869. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 180, entitled

A bill to amend section 52, of chapter 77, of the revised statutes of 1846, being section 3090 of the compiled laws, touching the sale of lands for the payment of debts, by executors, administrators and guardians, by adding a proviso thereto;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

HENRY S. SLEEPER,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

By unanimous consent, the Speaker announced the following communication:

UNITED STATES SENATE CHAMBER, }  
Washington, March 14, 1869. }

DEAR SIR—I take the liberty to enclose a letter from the Commissioner of Indian Affairs, relative to the vaccination of the Indians in our State. Will you please make such use of it as you may think wise and befitting.

Very truly yours,

J. M. HOWARD.

*Hon. Speaker of the House of Representatives, Lansing, Mich.*

The following is the letter referred to:

DEPARTMENT OF THE INTERIOR, }  
OFFICE OF INDIAN AFFAIRS, }  
*Washington, D. C., March 13, 1869.*

SIR—I have the honor to acknowledge the receipt of your communication of the 12th inst., stating that the Legislature of Michigan has before it a joint resolution, reciting the fact that the small pox is raging in some parts of the State where Indians are settled, and that many of them have not been vaccinated, and requesting the delegation in Congress to inquire of the proper Department whether provision has been made to supply vaccine matter for the Indians.

In reply to your inquiry for information on the subject, I have to say, that the attention of this office was called to the fact about one year ago, that there were Indians on Mackinac Island, who had never been vaccinated. Agent Smith was at once instructed to inquire into the matter, and, if he found any who had not been vaccinated, to take steps to have it done without delay. The agent, in reply, under date of March 10, 1868, says he is confident the vaccination of the Indians in his agency has not seriously been neglected; that sometime prior to the date of his letter he addressed a communication to Dr. J. R. Bailey, of Mackinac, in regard to the matter, who advised, as a prudential measure, the vaccination of the Indians again, and that he had asked for a remittance to enable him to have it done, to the extent deemed necessary. Funds were accordingly remitted to the agent, and it was presumed the matter had been attended to.

I have this day written to agent Smith in regard to the matter, and instructed him to take immediate steps for the vaccination of all the Indians in his agency, who have not already been vaccinated.

Very respectfully, your ob't serv't,

N. G. TAYLOR, *Commissioner.*

HON. J. M. HOWARD, U. S. Senate.

The communication and letter were laid on the table.

Mr. Brownell, by unanimous consent, moved to discharge the committee of the whole from the further consideration of House bill No. 278, entitled

A bill to incorporate the city of Lapeer;

Which motion prevailed.

On motion of Mr. Brownell,

The bill was placed on its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. L. Kendrick moved to amend the bill as follows: By inserting in line 3 of section 1, the words "north half of" after the words "and the;" also by striking out the word "or" after word "Lapeer" in line 8 of section 70, and inserting the words "or Mayfield" after the word "Elba;" also, by inserting after the word "Wednesday," in line 3, of section 129, the words "after the first Monday;"

Which were agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ashley,	Mr. Huston,	Mr. Sanford,
Barnaby,	Hutchinson,	Seward,
Beall,	Ingersoll,	Shaw,
Bostwick,	Jewell,	Sheldon,
G. G. Briggs,	L. Kendrick,	Shier,
R. V. Briggs,	F. G. Kendrick,	Slayton,
Brownell,	Kingsley,	Smith,
Cameron,	Lane,	Snell,
B. Clark,	Lee,	Stewart,
Crane,	Lovell,	Stockbridge,
Curry,	Mandigo,	Swift,
Davis,	Mason,	Ternes,
Doty,	McCowen,	Vowles,
Dussean,	McKernan,	Wagner,
Eaton,	Miles,	Walker,
Eck,	Miller,	Walton,
Fenner,	Millington,	Weier,
Fuller,	Newman,	Wendell,
Goodrich,	Norton,	Westover,

Grant,  
Harris,  
Holt,  
Horton,  
Hubbard,  
Hunt,

Osborn,  
Putnam,  
Riford,  
Riopella,  
Romeyn,  
Rowlson,

Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Yawkey,  
Speaker, 75

NAYS.

0

Title agreed to.

On motion of Mr. Fenner,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

### THIRD READING OF BILLS.

House manuscript bill, entitled

A bill to authorize the formation of companies for the introduction of water into towns, cities and villages in the State of Michigan,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

### YEAS.

Mr. Ashley,  
Avery,  
Barnaby,  
Beall,  
Blake,  
Bostwick,  
Boynton,  
G. G. Briggs,  
R. V. Briggs,  
Cameron,  
B. Clark,  
O. Clark,  
Crane,  
Crossman,  
Curry,  
Davis,  
Doty,  
Dusseau,  
Eaton,  
Eck,  
Fenner,  
Fuller,  
Goodrich,

Mr. Horton,  
Hubbard,  
Hunt,  
Hutchinson,  
Ingersoll,  
Jewell,  
L. Kendrick,  
F. G. Kendrick,  
Kingsley,  
Lane,  
Lee,  
Lovell,  
Mandigo,  
McCowen,  
McKernan,  
Mead,  
Miles,  
Miller,  
Millington,  
Mitchell,  
Newman,  
Norton,  
Osborn,

Mr. Romeyn,  
Rowlson,  
Seward,  
Shaw,  
Sheldon,  
Shier,  
Sickels,  
Slayton,  
Smith,  
Snell,  
Stewart,  
Stockbridge,  
Swift,  
Wagner,  
Walker,  
Walton,  
Weier,  
Wendell,  
Westover,  
Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,

Grant,  
Harris,  
Hartson.

Plimpton,  
Putnam,  
Riopelle,

Yawkey,  
Speaker,

77

NAYS.

0

Title agreed to.

On motion of Mr. Romeyn,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 178, entitled

A bill to amend an act entitled "An act to revise the charter of the city of Flint," approved March 20, 1867,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Rowleson,

The bill was recommitted to the committee on banks and incorporations.

The Sergeant-at-Arms announced the Private Secretary of the Governor, who transmitted to the House two messages from his Excellency the Governor, in writing.

House bill No. 81, entitled

A bill to authorize Wellington R. Burt to select seven hundred and twenty acres of State swamp lands, in lieu of a like amount selected by him and sold by the State,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Barnaby,  
Beall,  
Boynton,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Crane,  
Curry,  
Davis,  
Doty,  
Dussean,  
Eaton,

Mr. Hunt,  
Ingersoll,  
F. G. Kendrick,  
Kingley,  
Klein,  
Lane,  
Lee,  
Mason,  
Miles,  
Millington,  
Mitchell,  
Newman,  
Pimpton,

Mr. Shaw,  
Sheldon,  
Shier,  
Sickels,  
Slayton,  
Snell,  
Swift,  
Ternes,  
Thompson,  
Vowles,  
Wagner,  
Ward,  
Westover,



Eck,  
Fuller,  
Goodrich,  
Grant,  
Hartson,  
Hubbard,

Putnam,  
Riford,  
Riopelle,  
Romeyn,  
Seward,

Wilcox,  
H. G. Williams,  
W. D. Williams,  
Yawkey,  
Speaker,

55

## NAYS.

Mr. Avery,  
Blake,  
Bostwick,  
G. G. Briggs,  
R. V. Briggs,  
Harris,  
Horton,  
Huston,  
Hutchinson,

Mr. Jewell,  
Lovell,  
McCowan,  
McKernan,  
Mead,  
Miller,  
Osborn,  
Rowlson,

Mr. Smith,  
Stewart,  
Stockbridge,  
Walker,  
Walton,  
Weier,  
Wendell,  
J. A. Williams,

25

Title agreed to.

On motion of Mr. Yawkey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 163, entitled

A bill to authorize booming companies to take private property for the use of such companies,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Snell moved that the bill be laid on the table;

Which motion did not prevail.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Boynton,  
Brownell,  
Curry,  
Doty,  
Fenner,  
Holt,

Mr. Huston,  
Mason,  
Mead,  
Miller,  
Shier,

Mr. Snell,  
Stockbridge,  
Swift,  
Westover,  
Yawkey,

16

## NAYS.

Mr. Avery,  
Barnaby,  
Baxter,  
Beall,

Mr. Hurlbut,  
Hutchinson,  
Ingersoll,  
Jewell,

Mr. Riopelle,  
Romeyn,  
Rowlson,  
Sanford,

Blake,  
Bostwick,  
G. G. Briggs,  
R. V. Briggs,  
Cameron,  
B. Clark,  
O. Clark,  
Crane,  
Davis,  
Dusseau,  
Eck,  
Fuller,  
Harris,  
Horton,  
Hubbard,  
Hunt,

L. Kendrick,  
Kingsley,  
Lane,  
Lovell,  
Mandigo,  
McCowen,  
McKernan,  
Miles,  
Millington,  
Mitchell,  
Newman,  
Norton,  
Osborn,  
Plimpton,  
Putnam,  
Riford,

Seward,  
Shaw,  
Sheldon,  
Smith,  
Stewart,  
Vowles,  
Wagner,  
Walker,  
Walton,  
Wendell,  
Wilcox,  
H. G. Williams,  
J. A. Williams,  
W. D. Williams,  
Speaker,

59

House bill No. 216, entitled

A bill making it the duty of county, city and township treasurers to report annually to the Auditor General the finances, debt and public property of their respective counties, cities and townships,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Stockbridge,

The bill was laid on the table.

House bill No. 175, entitled

A bill to enable the township of Erie, county of Monroe, and State of Michigan, to issue its bonds to aid in the building of a free stone or plank road, (on the turnpike) leading to Toledo, Ohio, from the north line of said township to the Ohio State line,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

# YEAS.

Mr. Avery,  
Barnaby,  
Baxter,  
Beall,  
R. V. Briggs,  
Brownell,  
B. Clark,

Mr. Hurlbut,  
Huston,  
Ingersoll,  
Jewell,  
L. Kendrick,  
Kingsley,  
Klein,

Mr. Romeyn,  
Rowlson,  
Sanford,  
Seward,  
Shaw,  
Sheldor,  
Shier,

O. Clark,	Lane,	Stewart,
Cogshall,	Lee,	Stockbridge,
Crane,	Lovell,	Swift,
Curry,	Mandigo,	Vowles,
Davis,	McCowen,	Wagner,
Doty,	McKernan,	Walker,
Dusseau,	Miller,	Walton,
Eck,	Millington,	Ward,
Fuller,	Mitchell,	Wilcox,
Harris,	Osborn,	H. G. Williams,
Holt,	Plimpton,	W. D. Williams,
Horton,	Putnam,	Yawkey,
Hubbard,	Riford,	Speaker,
Hunt,	Riopelle,	

62

## NAYS.

Mr. Bostwick, Mr. Hutchinson, Mr. Norton, 3

House bill No. 217, entitled

A bill to provide for the incorporation of societies of Pocahontas Tribes of Improved Order of Red Men,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Ingersoll moved to amend by striking out in line 3 of section 3, the words "Odd Fellows," and inserting in lieu thereof, "Pocahontas Tribes of Improved Order of Red Men;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Avery,	Mr. Horton,	Mr. Riford,
Baxter,	Hubbard,	Riopelle,
Beall,	Hurlbut,	Romeyn,
Blake,	Huston,	Sanford,
Bostwick,	Ingersoll,	Seward,
Boynton,	L. Kendrick,	Sheldon,
R. V. Briggs,	Kingsley,	Sickels,
Brownell,	Klein,	Smith,
O. Clark,	Lane,	Stewart,
Cogshall,	Lee,	Stockbridge,
Crane,	Lovell,	Swift,
Croesman,	Mandigo,	Ternes,
Davis,	McCowen,	Thompson,
Doty,	McKernan,	Vowles,

Dussan,	Mead,	Wagner,
Eaton,	Miles,	Walker,
Eck,	Millington,	Walton,
Fenner,	Mitchell,	Ward,
Fuller,	Norton,	Westover,
Goodrich,	Osborn,	Wilcox,
Harris,	Plimpton,	W. D. Williams,
Holt,	Putnam,	Speaker, 66

## NAYS.

Mr. B. Clark,      Mr. Shier,      Mr. Wendell,      3

Title agreed to.

On motion of Mr. Ingersoll,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 222, entitled

A bill to amend sections 5 and 6, of chapter 70, of the compiled laws, relative to telegraph companies, as amended by act No. 210, of the session laws of 1863, approved March 20, 1863, sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 of said chapter 70 of the compiled laws, and section 20, of said act No. 240, of the session laws of 1863, and to repeal section 21 of the same,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Barnaby,	Mr. Hunt,	Mr. Riopelle,
Baxter,	Hurlbut,	Romeyn,
Beall,	Huston,	Rowles,
Bonwick,	Hutchinson,	Seward,
Bozton,	Ingersoll,	Shaw,
G. G. Briggs,	Jewell,	Sheldon,
R. V. Briggs,	L. Kendrick,	Shier,
Cameron,	Kingsley,	Sickels,
B. Clark,	Klein,	Smith,
O. Clark,	Lane,	Snell,
Crane,	Lee,	Stockbridge,
Davis,	Lovell,	Swift,
Doty,	Mason,	Ternes,
Dussan,	McCowan,	Thompson,
Eaton,	Mead,	Vowles,
Eck,	Miles,	Wagner,

Fenner,  
Fuller,  
Goodrich,  
Grant,  
Harris,  
Hartson,  
Holt,  
Horton,  
Hubbard,

Miller,  
Mitchell  
Newman,  
Norton,  
Osborn,  
Plimpton,  
Purcell,  
Putnam,  
Riford,

Walker,  
Walton,  
Ward,  
Weier,  
Wendell,  
Wilcox,  
J. A. Williams,  
W. D. Williams,  
Speaker, 75.

## NAYS.

Mr. Westover,

1

Title agreed to.

On motion of Mr. Romeyn,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Cameron, by unanimous consent, moved to discharge the committee of the whole from the further consideration of House bill No. 324, entitled

A bill to amend sections 2 and 7 of an act entitled an act to re-incorporate the village of Kalamazoo, and to add a new section thereto;

Which motion prevailed.

On motion of Mr. Cameron,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Avery,  
Barnaby,  
Baxter,  
Blake,  
Bostwick,  
Boynton,  
R. V. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,

Mr. Horton,  
Hubbard,  
Hunt,  
Hurlbut,  
Hutchinson,  
Jewell,  
L. Kendrick,  
Kingsley,  
Klein,  
Lane,  
Lee,  
Lowell,

Mr. Seward,  
Shaw,  
Sheldon,  
Shier,  
Sickels,  
Smith,  
Snell,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson.,

Crane,	McCowen,	Vowles,
Crossman,	Miller,	Wagner,
Davis,	Millington,	Walker,
Doty,	Mitchell,	Walton,
Dusseau,	Newman,	Weier,
Eaton,	Norton,	Wendell,
Fenner,	Osborn,	Westover,
Fuller,	Plimpton,	Wilcox,
Goodrich,	Riford,	H. G. Williams,
Harris,	Riopelle,	J. A. Williams,
Hartson,	Romeyn,	W. D. Williams,
Holt,	Rowlson,	Speaker, 73
	NAYS.	0

Title agreed to.

On motion of Mr. Cameron,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Brownell,

The House took a recess until 2 o'clock this afternoon.

#### AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Rowlson asked and obtained leave of absence for himself, until Tuesday.

Mr. Purcell asked and obtained leave of absence for Mr. F. G. Kendrick, for an indefinite time, on account of sickness.

Mr. Sickels asked and obtained leave of absence for himself, until Monday noon.

#### MESSAGES FROM THE GOVERNOR.

By unanimous consent, the Speaker announced the following:

EXECUTIVE OFFICE,  
Lansing, March 18, 1869. }

To the Legislature:

By an act of Congress approved March 3, 1865, there was granted to the State of Michigan two hundred thousand acres

of land, to aid in building a harbor and ship canal to connect the waters of lake Superior with the waters of Portage lake.

On the 18th day of March the Legislature of Michigan accepted the grant, and conferred the lands upon the Portage lake and Lake Superior ship canal company, with conditions and privileges as provided in act No. 216, laws of 1865. By the same act it was made the duty of the Governor to appoint an engineer to survey, lay out, and establish the route of said canal and make a specification and diagram thereof, to be approved by the Governor, and when so approved, to be filed in the office of the Secretary of State.

By a subsequent act of Congress, approved July 3, 1866, a second grant of two hundred thousand acres of land was made for the same purpose, which grant was accepted by the State, act No. 469 session laws of 1867.

By the terms of the first grant the canal was to be completed within two years from the passage of the act, or the lands to revert to the United States.

The act of Congress conferring the second grant upon the company, extended the time for the completion of the work three years, which time will expire on the 3d of March, 1870.

In compliance with the requirements of act No. 216, of 1865, my predecessor appointed Mr. J. N. Greene engineer for this work, by whom a diagram and specifications were made, under the careful scrutiny and supervision of the Governor, which were accepted by the company, and filed in the office of the Secretary of State on the 9th of October, 1867.

The report of the engineer, made on the 28th of December, 1868, as to the progress and probable completion of the work within the time specified in the act of Congress, is not encouraging. The report is herewith transmitted to your Honorable body.

Inasmuch as the company upon whom these roads have been conferred are asking legislation at your hands, the peculiarities of some of the provisions of the first act of the Legislature and the second of Congress, granting these lands to the Portage

Lake and Lake Superior Ship Canal Company, taken in connection with the report of the engineer, the importance of the work, and the great value of many of the lands, makes it my duty to call your attention to the subject, and to express the hope that it may receive the careful examination and consideration which its importance demands.

HENRY P. BALDWIN.

Mr. Mead moved that there be a committee of five, of which Mr. W. D Williams should be chairman, appointed on the part of the House, to act with a like committee on the part of the Senate, to consider the subject embraced in the above communication;

Which motion prevailed.

The Speaker announced as such committee, Messrs. W. D. Williams, Holt, Huston, Slayton and Romeyn.

The Speaker also announced the following:

EXECUTIVE OFFICE, }  
Lansing, March. 19, 1869. }

*To the House of Representatives:*

I herewith respectfully return to the House, without my approval:

"An act to divide the township of Bertrand, county of Berrien, and to organize a new township, to be called the township of Dayton."

The present township of Bertrand, is composed of town 8 south, range 18 west, and all that portion of town 8 south, range 17 west, lying west of the St. Joseph river, being about three and one-half miles in width, and about nine miles in length; the remainder of town 8 south, range 17 west, being now attached to the township of Niles. The act under consideration proposes to detach town 8 south, range 18 west, and erect or organize the same into a new township, to be called the township of Dayton. I am informed that it was also proposed to detach that portion of township 8 south, range 17 west, now forming a part of the township of Niles, and to attach



the same to the township of Bertrand, and for this purpose a bill was introduced into the Legislature. That bill, I am informed, has been indefinitely postponed; this being the case, should the township of Bertrand be divided as proposed in the act under consideration, about three-fifths of its present area would be set off, leaving Bertrand but about one-quarter of the usual size of townships, and would place upon this unusually small town the burden of supporting an additional township government, and relieve the three-fifths of the present township, proposed to be set off, from its share of taxation for the support of an expensive bridge across the St. Joseph river, and thereby increase the taxation of Niles township and the remainder of the township of Bertrand. It does not appear that the convenience or real interest of the people would be enhanced by the proposed division; on the contrary, very numerous remonstrances are made against it, and as the board of supervisors in each county has full authority to divide and erect new townships, I deem it my duty respectfully to return the bill for reconsideration.

HENRY P. BALDWIN.

Mr. Mead moved that the vote by which the House passed the bill, be reconsidered;

Which motion prevailed.

The question recurring upon the passage of the bill, pending the taking of the vote thereon,

On motion of Mr. Ingersoll,

The bill was laid on the table.

Mr. Ingersoll, by unanimous consent, offered the following:

*Resolved*, That the use of this Hall be granted to Hon. E. H. Thomson on Tuesday evening next, for the purpose of delivering a lecture for the benefit of the Reform School band, to assist in liquidating the debt of the boys, incurred in purchasing their instruments;

Which was adopted.

Mr. Brownell, by unanimous consent, offered the following:

*Whereas*, The committee on drainage have been compelled, by the numerous re-writing and the re-printing and consolidation of the drainage laws, to employ the services of their clerk, Mr. Crozier, of Ottawa, for a much longer time than at first anticipated; therefore

*Resolved*, That said committee be authorized to allow pay to the said clerk for the time actually employed in such service;

Which was adopted.

The House then resumed the order of

#### THIRD READING OF BILLS.

House bill No. 223, entitled

A bill to authorize the city of Saginaw to raise money to aid in the construction of the Flint and Pere Marquette railway company's railroad, and the Jackson, Lansing and Saginaw railroad, or either of them,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Rowison,

The bill was laid on the table.

House bill No. 242, entitled

A bill to restrict the running at large of fowls, and such animals as are not usually restrainable by ordinary fence enclosures,

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Barnaby,	Mr. Ingersoll,	Mr. Shier,
Baxter,	Kingsley,	Snell,
Bostwick,	Lane,	Stockbridge,
G. G. Briggs,	Lovell,	Swift,
Brownell,	Mead,	Thompson,
Cameron,	Miles,	Walker,
B. Clark,	Millington,	Walton,
O. Clark,	Mitchell,	Ward,
Cogshall,	Newman,	Westover,
Crane,	Norton,	Wilcox,
Crossman,	Putnam,	W. D. Williams,

Dusseau,  
Eck,  
Fuller,

Riford,  
Sanford,  
Shaw,

Yawkey,  
Speaker,

41

## NAYS.

Mr. Avery,  
Beall,  
Blake,  
Boynnton,  
R. V. Briggs,  
Curry,  
Davis,  
Doty,  
Fenner,  
Goodrich,  
Harris,  
Hartson,  
Holt,

Mr. Horton,  
Hubbard,  
Hurlbut,  
Huston,  
Jewell,  
L. Kendrick,  
Klein,  
Lee,  
Mandigo,  
Mason,  
McCowan,  
McKernan,  
Miller,

Mr. Osborn,  
Purcell,  
Romeyn,  
Rowlson,  
Seward,  
Sheldon,  
Stewart,  
Ternes,  
Vowles,  
Wagner,  
Weier,  
H. G. Williams,  
J. A. Williams,

39

House bill No. 250, entitled

A bill to authorize and require the laying out and establishment of a State road, from the western terminus of Frazier street, as laid down on the recorded map or plat of Corunna, in the county of Shiawassee, to Washington street, in the city of Owosso,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Ward moved that the bill be laid on the table;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Avery,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
Boynnton,  
R. V. Briggs,  
Brownell,  
B. Clark,  
O. Clark,  
Cogshall,

Mr. Ingersoll,  
Jewell,  
L. Kendrick,  
Kingsley,  
Lee,  
Lovell,  
Mandigo,  
Mason,  
McCowan,  
McKernan,  
Mead,

Mr. Seward,  
Shaw,  
Sheldon,  
Shier,  
Sickels,  
Snell,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,

Crane,  
Curry,  
Doty,  
Eck,  
Fenner,<sup>1</sup>  
Fuller,  
Goodrich,<sup>1</sup>  
Horton,  
Hubbard,  
Hurlbut,  
Huston,

Miles,  
Miller,  
Millington,  
Mitchell,  
Norton,  
Osborn,  
Riford,  
Romeyn,  
Rowlson,  
Sanford,

Vowles,  
Walker,  
Walton,  
Weier,  
Westover,  
Wilcox,  
H. G. Williams,  
W. D. Williams,  
Yawkey,  
Speaker,

64

NAYS.

0

Title agreed to.

On motion of Mr. Ingersoll,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House joint resolution No. 26, entitled

Joint resolution to legalize the action of certain commissioners in laying out a certain road in town two south, and nine east, in the State of Michigan, as provided by act No. 507, of the session laws of A. D. 1867,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Avery,  
Barnaby,  
Baxter,  
Beall,  
Blake,  
G. G. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Cogshall,  
Crane,  
Curry,  
Doty,  
Dusseau,  
Eck,  
Fenner,

Mr. Hurlbut,  
Hutchinson,  
Ingersoll,  
Jewell,  
L. Kendrick,  
Kingsley,  
Lane,  
Lee,  
Lovell,  
Mandigo,  
Mason,  
McKernan,  
Mead,  
Miles,  
Miller,  
Millington,  
Mitchell,

Mr. Rowlson,  
Sanford,  
Seward,  
Shaw,  
Sheldon,  
Shier,  
Sickels,  
Snell,  
Stewart,  
Stockbridge,  
Swift,  
Ternes,  
Thompson,  
Wagner,  
Walker,  
Walton,  
Ward,

Fuller,	Newman,	Weier,
Goodrich,	Norton,	Westover,
Harris,	Osborn,	Wilcox,
Holt,	Putnam,	W. D. Williams,
Hubbard,	Romeyn,	Speaker, 66
	NAYS.	0

Title agreed to.

On motion of Mr. Swift,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

House bill No. 251, entitled

A bill to aid the Fenton Union Agricultural Society,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

# YEAS.

Mr. Avery,	Mr. Holt,	Mr. Sanford,
Baxter,	Horton,	Seward,
Beall,	Huston,	Shaw,
Blake,	Hutchinson,	Shier,
Boynton,	Ingersoll,	Sickels,
G. G. Briggs,	Jewell,	Snell,
Cameron,	L. Kendrick,	Stewart,
B. Clark,	Kingsley,	Stockbridge,
Crane,	Lane,	Swift,
Crossman,	Lee,	Thompson,
Davis,	McCowen,	Wagner,
Doty,	Mead,	Walker,
Dusseau,	Miles,	Walton,
Eck,	Millington,	Weier,
Fenner,	Mitchell,	Westover,
Fuller,	Newman,	H. G. Williams,
Goodrich,	Norton,	J. A. Williams,
Harris,	Plimpton,	W. D. Williams,
		54

# NAYS.

Mr. Barnaby,	Mr. Mandigo,	Mr. Romeyn,
R. V. Briggs,	Mason,	Rowlson,
Hubbard,	Miller,	Sheldon,
Hunt,	Osborn,	Yawkey,
Hurlbut,	Putnam,	Speaker,
Lovell,		16

Title agreed to.

On motion of Mr. Horton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 252, entitled

A bill to amend sections 5, 7, 8, 9, 10, 28, 31, 34, 38, 42, 50, 59, 61, 62, 64, 67, 70, 93 and 95 of an act entitled "An act for the reorganization of the military forces of the State of Michigan," being act No. 16, of the session laws of 1862, approved January 18, 1862; to repeal sections 21, 57 and 58 of said act, and to add thereto a new section, to stand as section No. 97,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. G. G. Briggs moved that the bill be recommitted to the committee of the whole, and placed on the general order;

Which motion did not prevail.

Mr. Miles moved that the bill be laid on the table;

Which motion did not prevail.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Baxter,	Mr. Lane,	Mr. Riford,
Boynton,	Lee,	Riopelle,
G. G. Briggs,	Lovell,	Romeyn,
Brownell,	Mason,	Rowlson,
Harris,	McCowen,	Sanford,
Hartson,	McKernan,	Seward,
Horton,	Mead,	Swift,
Hunt,	Miller,	Ternes,
Huston,	Plimpton,	Ward,
Ingersoll,	Putnam,	Westover,
Klein,		W. D. Williams,

33

#### NAYS.

Mr. Avery,	Mr. Fenner,	Mr. Sheldon,
Barnaby,	Fuller,	Shier,
Beall,	Goodrich,	Sickels,
Blake,	Holt,	Slayton,
Bostwick,	Hubbard,	Snell,
Cameron,	Hurlbut,	Stockbridge,
B. Clark,	Hutchinson,	Vowles,

O. Clark,	Jewell,	Walker,
Ogshall,	L. Kendrick,	Walton,
Crane,	Kingsley,	Weier,
Davis,	Miles,	Wilcox,
Doty,	Millington,	H. G. Williams,
Dusseau,	Newman,	J. A. Williams,
Eaton,	Osborn,	Yawkey,
Eck,	Shaw,	Speaker, 45

Pending the announcement of the vote,

Mr. L. Kendrick moved that Mr. Ingersoll be excused from voting;

Which motion did not prevail.

Mr. Ingersoll then voted as recorded above.

House bill No. 253, entitled

A bill to provide for the construction of a State road from Isabella, in the county of Isabella, north to Tobacco river; thence north of East, to intersect the Midland and Traverse Bay State road,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Barnaby,	Mr. Jewell,	Mr. Sheldon,
Baxter,	L. Kendrick,	Shier,
Blake,	Kingsley,	Sickels,
Brownell,	Lane,	Snell,
Cameron,	Mason,	Stockbridge,
B. Clark,	McKernan,	Swift,
O. Clark,	Mead,	Vowles,
Davis,	Miles,	Wagner,
Eck,	Millington,	Walker,
Fenner,	Newman,	Walton,
Fuller,	Norton,	Ward,
Goodrich,	Osborn,	Westover,
Hartson,	Putnam,	Wilcox,
Hubbard,	Riford,	H. G. Williams,
Hurlbut,	Riopelle,	W. D. Williams,
Huston,	Romeyn,	Yawkey,
Ingersoll,	Shaw,	Speaker, 51

#### NAYS.

Mr. Beall,	Mr. Harris,	Mr. McCowen,
Bostwick,	Horton,	Miller,
R. V. Briggs,	Hunt,	Rowlson,

Cogshall,  
Crane,  
Eaton,

Hutchinson,  
Lee,  
Lovell,

Sanford,  
Stewart,  
J. A. Williams,  
18

Title agreed to.

On motion of Mr. Barnaby,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. H. G. Williams moved that there be a call of the House;  
Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members reported absent without leave:

Messrs. Avery, Gifford, Mandigo, Smith, Slayton, Thompson and Wendell.

Mr. Stockbridge asked and obtained leave of absence for Mr. Gifford, for the afternoon.

Mr. Miles moved that leave of absence for the afternoon be granted to Mr. Mitchell;

Which motion did not prevail.

Mr. Norton asked and obtained leave of absence for Mr. Weier, for the afternoon.

Mr. Stewart moved that leave of absence be granted to Mr. Wendell, for the afternoon;

Which motion did not prevail.

Mr. Lee moved that all further proceedings under the call be dispensed with;

Which motion did not prevail.

Mr. Crossman asked and obtained leave of absence for Mr. Slayton, for the afternoon.

On motion of Mr. Plimpton,

The Sergeant-at-Arms was despatched after the absentees.

The Sergeant-at-Arms announced Mr. Mitchell at the bar of the House.

On motion of Mr. Brownell,



Mr. Mitchell was admitted within the bar of the House, rendered an excuse, and took his seat.

On motion of Mr. Ingersoll,

All further proceedings under the call were dispensed with.

House bill No. 254, entitled

A bill to incorporate the village of Wayne,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Swift moved to amend by striking out in lines 5 and 6 of section 2, the words "third Monday of March," and inserting in lieu thereof, "second Monday of April;" also, by striking out in line 1 of section 19, the words "or regulate and tax;"

Which was agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Avery,	Mr. Horton,	Mr. Riopelle,
Barnaby,	Hubbard,	Romeyn,
Baxter,	Hunt,	Rowlson,
Beall,	Hurlbut,	Seward,
Bostwick,	Hutchinson,	Shaw,
Boynton,	Ingersoll,	Sheldon,
G. G. Briggs,	Jewell,	Sickles,
R. V. Briggs,	L. Kendrick,	Snell,
Brownell,	Kingaleys,	Stewart,
O. Clark,	Klein,	Stockbridge,
Cogshall,	Lee,	Swift,
Crane,	Lovell,	Ternes,
Crossman,	Mason,	Thompson,
Curry,	McCowan,	Vowles,
Davis,	McKernan,	Wagner,
Doty,	Mead,	Walker,
Dusseau,	Miller,	Walton,
Eaton,	Millington,	Ward,
Eck,	Mitchell,	Westover,
Fenner,	Norton,	Wilcox,
Fuller,	Osborn,	H. G. Williams,
Goodrich,	Plimpton,	J. A. Williams,
Harris,	Purcell,	W. D. Williams,
Hartson,	Putnam,	Yawkey,
Holt,	Riford,	Speaker,

75

#### NAYS.

0

Title agreed to.

On motion of Mr. Swift,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 255, entitled

A bill to amend act No. 239, entitled an act to organize union school district No. 1, of the township of Spaulding, in the county of Saginaw, and to authorize said district to borrow money, also to add a new section thereto,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Avery,	Mr. Holt,	Mr. Putnam,
Barnaby,	Hubbard,	Riford,
Baxter,	Hunt,	Romeyn,
Beall,	Hurlbut,	Sanford,
Blake,	Hutchinson,	Seward,
Bostwick,	Ingersoll,	Shaw,
Boynton,	Jewell,	Sheldon,
G. G. Briggs,	L. Kendrick,	Shier,
R. V. Briggs,	Kingsley,	Snell,
Brownell,	Klein,	Stewart,
Cameron,	Lane,	Swift,
B. Clark,	Lee,	Ternes,
O. Clark,	Lovell,	Thompson,
Cogshall,	Mandigo,	Vowles,
Crane,	Mason,	Wagner,
Curry,	McCowen,	Walker,
Davis,	McKernan,	Walton,
Doty,	Mead,	Ward,
Dusseau,	Miles,	Westover,
Eaton,	Miller,	Wilcox,
Eck,	Millington,	H. G. Williams,
Fenner,	Mitchell,	J. A. Williams,
Fuller,	Newman,	W. D. Williams,
Goodrich,	Norton,	Yawkey,
Harris,	Purcell,	Speaker,
Hartson,		

76

#### NAYS.

Mr. Osborn,

1

Title agreed to.

On motion of Mr. Lane,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 256, entitled

A bill to legalize the action of fractional school district number one, composed of the townships of Algoma, Plainfield and Cannon, in the county of Kent, at their annual school meeting, held on the 7th day of September, A. D. 1868, in reference to raising certain bonds,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Barnaby,	Mr. Horton,	Mr. Putnam,
Baxter,	Hubbard,	Riford,
Blake,	Hunt,	Rowlson,
Bostwick,	Hurlbut,	Seward,
Boynton,	Hutchinson,	Shaw,
G. G. Briggs,	Ingersoll,	Sheldon,
R. V. Briggs,	Jewell,	Shier,
Brownell,	L. Kendrick,	Sickels,
Cameron,	Kingsley,	Snell,
B. Clark,	Klein,	Stewart,
O. Clark,	Lane,	Swift,
Cogshall,	Lee,	Ternes,
Crane,	Lovell,	Thompson,
Crossman,	Mandigo,	Wagner,
Curry,	Mason,	Walker,
Davis,	McCowen,	Walton,
Doty,	McKernan,	Ward,
Dusseau,	Mead,	Weier,
Eaton,	Miller,	Westover,
Eck,	Millington,	Wilcox,
Fenner,	Mitchell,	J. A. Williams,
Fuller,	Norton,	W. D. Williams,
Goodrich,	Osborn,	Yawkey,
Harris,	Plimpton,	Speaker,
Holt,	Purcell,	

74.

#### NAYS.

Mr. Romeyn,

1.

Title agreed to.

On motion of Mr. Davis,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 257, entitled

A bill to authorize the grants of swamp lands for the Ontonagon and State line State road, to be used for the construction of two roads, from Ontonagon southerly,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Barnaby,	Mr. Hunt,	Mr. Riford,
Baxter,	Hurlbut,	Riopella,
Blake,	Huston,	Rowlson,
Bostwick,	Hutchinson,	Sanford,
Boynnton,	Ingersoll,	Seward,
G. G. Briggs,	Jewell,	Shaw,
R. V. Briggs,	L. Kendrick,	Sheldon,
Brownell,	L. Kendrick,	Stewart,
Cameron,	Kingsley,	Shier,
B. Clark,	Klein,	Snell,
O. Clark,	Lane,	Stewart,
Oogahall,	Lee,	Swift,
Crane,	Lovell,	Ternes,
Curry,	Mandigo,	Thompson,
Davis,	McCowen,	Vowles,
Doty,	McKernan,	Wagner,
Dusseau,	Mead,	Walker,
Eaton,	Miles,	Walton,
Eck,	Miller,	Ward,
Fenner,	Millington,	Weier,
Fuller,	Mitchell,	Westover,
Goodrich,	Newman,	Wilcox,
Harris,	Norton,	W. D. Williams,
Holt,	Osborn,	Yawkey,
Horton,	Plimpton,	Speaker,
Hubbard,	Purcell,	

74

## NAYS.

0

Title agreed to.

On motion of Mr. Fenner,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 259, entitled

A bill to protect the citizens of Michigan from empiricism, and elevate the standing of the medical profession,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Barnaby moved to lay the bill on the table;

Which motion did not prevail.

Mr. Millington moved to strike out all after the enacting clause;

Which was not agreed to.

Mr. Avery moved to recommit the bill to the committee on State affairs;

Which motion did not prevail.

Mr. Romeyn demanded the previous question;

The demand was seconded and the main question ordered.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Avery,	Mr. Hurlbut,	Mr. Shaw,
Baxter,	Huston,	Sheldon,
G. G. Briggs,	Hutchinson,	Shier,
R. V. Briggs,	Ingersoll,	Stewart,
Cameron,	Jewell,	Stockbridge,
O. Clark,	Klein,	Ternes,
Cogshall,	Mandigo,	Thompson,
Crane,	Mason,	Walton,
Curry,	McKernan,	Ward,
Davis,	Mead,	Weier,
Dusseau,	Plimpton,	Westover,
Eck,	Purcell,	Wilcox,
Fenner,	Putnam,	J. A. Williams,
Goodrich,	Riopelle,	W. D. Williams,
Hartson,	Romeyn,	Yawkey,
Hunt,	Sanford,	Speaker, 48

#### NAYS.

Mr. Barnaby,	Mr. Horton,	Mr. Newman,
Beall,	Hubbard,	Norton,
Bostwick,	L. Kendrick,	Osborn,
Boynton,	Kingsley,	Riford,
B. Clark,	Lane,	Rowlson,
Crossman,	Lee,	Seward,
Doty,	Lovell,	Snell,
Eaton,	McCowen,	Swift,
Fuller,	Miller,	Vowles,

Harris,  
Holt,

Millington,  
Mitchell,

Wagner,  
Walker, 33

House bill No. 260, entitled

A bill to ascertain and perpetuate township and section lines and corners of original surveys,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Avery,	Mr. Huston,	Mr. Romeyn,
Barnaby,	L. Kendrick,	Sanford,
Baxter,	Kingsley,	Seward,
Boynton,	Klein,	Shaw,
G. G. Briggs,	Lane,	Sheldon,
R. V. Briggs,	Lovell,	Snell,
Cameron,	Mandigo,	Stewart,
B. Clark,	Mason,	Stockbridge,
O. Clark,	Mead,	Swift,
Crane,	Miller,	Ternes,
Dussean,	Millington,	Wagner,
Eaton,	Mitchell,	Walker,
Fenner,	Newman,	Weier,
Fuller,	Osborn,	Westover,
Goodrich,	Purcell,	Wilcox,
Harris,	Putnam,	W. D. Williams,
Hartson,	Riford,	Yawkey,
Hubbard,	Riopelle,	Speaker,
Hunt,		

55

NAYS.

Mr. Beall,	Mr. Horton,	Mr. Plimpton,
Bostwick,	Hurlbut,	Shier,
Cogshall,	Jewell,	Vowles,
Curry,	Lee,	Walton,
Davis,	McCowen,	J. A. Williams,
Holt,		

16

Title agreed to.

House bill No. 261, entitled

A bill to authorize the township board of the township of Fairfield, Shiawassee county, to audit certain accounts,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Avery,	Mr. Hubbard,	Mr. Sanford,
Barnaby,	Hunt,	Seward,
Baxter,	Hurlbut,	Shaw,
Beall,	Huston,	Sheldon,
Bostwick,	Hutchinson,	Shier,
Boynton,	Ingersoll,	Slayton,
R. V. Briggs,	Jewell,	Snell,
Cameron,	Kingsley,	Stockbridge,
B. Clark,	Klein,	Swift,
O. Clark,	Lane,	Ternes,
Cogshall,	Lee,	Thompson,
Crane,	Lovell,	Vowles,
Crossman,	Mason,	Wagner,
Curry,	McCowen,	Walker,
Davis,	Mead,	Walton,
Doty,	Mitchell,	Weier,
Dusseau,	Newman,	Westover,
Eaton,	Plimpton,	Wilcox,
Fenner,	Purcell,	J. A. Williams,
Fuller,	Riford,	W. D. Williams,
Harris,	Romeyn,	Yawkey,
Hartson,	Rowlson,	Speaker,
Horton,		70.

## NAYS.

Mr. Eck,	Mr. Mandigo,	Mr. Putnam,
Goodrich,	Millington,	5.

Title agreed to.

On motion of Mr. Curry,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 264, entitled

A bill to legalize the action of the board of drain commissioners of Lenawee county, in laying out and establishing certain county drains in said county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Avery,	Mr. Hubbard,	Mr. Sanford,
Barnaby,	Hunt,	Seward,
Baxter,	Hurlbut,	Shaw,
Beall,	Hutchinson,	Sheldon,

Bostwick,	Ingersoll,	Shier,
Boynton,	Jewell,	Slayton,
G. G. Briggs,	L. Kendrick,	Snell,
Brownell,	Kingsley,	Stockbridge,
Cameron,	Klein,	Swift,
B. Clark,	Lane,	Ternes,
O. Clark,	Lee,	Thompson,
Crane,	Mandigo,	Vowles,
Crossman,	Mason,	Wagner,
Curry,	McKernan,	Walker,
Dusseau,	Miles,	Walton,
Elliott,	Millington,	Weier,
Eck,	Mitchell,	Westover,
Fenner,	Newman,	Wilcox,
Fuller,	Norton,	H. G. Williams,
Goodrich,	Purcell,	J. A. Williams,
Harris,	Riford,	W. D. Williams,
Hartson,	Riopelle,	Yawkey,
Horton,	Romeyn,	Speaker, 69

## NAYS.

Mr. Lovell,  
McCowen,

Mr. Osborn,  
Putnam

Mr. Rowson,

5

Title agreed to.

On motion of Mr. Baxter,

By a vote of two-thirds of all the members elect, the bill was  
ordered to take immediate effect.

House bill No. 266, entitled

A bill to incorporate the city of Muskegon,

Was read a third time and passed, a majority of all the mem-  
bers elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Avery,  
Barnaby,  
Baxter,  
Beall,  
Bostwick,  
G. G. Briggs,  
R. V. Briggs,  
Brownell,  
Cameron,  
B. Clark,  
O. Clark,  
Cogahall,

Mr. Hubbard,  
Hunt,  
Hurlbut,  
Huston,  
Hutchinson,  
Ingersoll,  
Jewell,  
L. Kendrick,  
Kingsley,  
Klein,  
Lane,  
Lee,

Mr. Putnam,  
Riopelle,  
Romeyn,  
Rowson,  
Sanford,  
Seward,  
Shaw,  
Sheldon,  
Shier,  
Slayton,  
Smith,  
Stewart,



Crane,  
Crossman,  
Curry,  
Doty,  
Dusseau,  
Eaton,  
Eck,  
Fenner,  
Fuller,  
Goodrich,  
Harris,  
Hartson,  
Holt,  
Horton,

Lovell,  
Mandigo,  
McCowen,  
McKernan,  
Miles,  
Miller,  
Millington,  
Mitchell,  
Newman,  
Norton,  
Osborn,  
Plimpton,  
Purcell,

Stockbridge,  
Ternes,  
Thompson,  
Vowles,  
Wagner,  
Walker,  
Walton,  
Weier,  
Wilcox,  
H. G. Williams,  
W. D. Williams,  
Yawkey,  
Speaker,

76.

NAYS.

0

Title agreed to.

House bill No. 268, entitled

A bill for the encouragement of immigration,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Miles,

The bill was laid on the table.

Senate bill No. 78, entitled

A bill to amend sections 1, 2, 3, 4, 5, 6 and 13, of chapter 126, of the revised statutes of 1846, entitled "Of certain liens upon real property," being sections numbered 5068, 5069, 5070, 5071, 5072, 5073 and 5080, of chapter 154, of compiled laws, entitled "Of the lien of mechanics and others,"

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Harris moved to amend by inserting in line 4, of section 4, after the word "contractor," the words "or sub-contractors;"

Which was not agreed to.

Mr. Miller moved to amend section 2 by striking out all after the word "contract," in line 3, to and including the word "behalf," in line 8;

Which was not agreed to.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Baxter,  
Boynton,  
G. G. Briggs,  
R. V. Briggs,  
Brownell,  
Cameron,  
Cogshall,  
Dusseau,  
Eaton,  
Hartson,  
Hunt,

Mr. Hurlbut,  
Kingsley,  
Lane,  
Lovell,  
McCowen,  
Mead,  
Miles,  
Newman,  
Plimpton,  
Purcell,  
Putnam,

Mr. Rowison,  
Sanford,  
Seward,  
Swift,  
Ternes,  
Vowles,  
Westover,  
W. D. Williams,  
Yawkey,  
Speaker,

32

## NAYS.

Mr. Avery,  
Barnaby,  
Beall,  
Bostwick,  
B. Clark,  
O. Clark,  
Crane,  
Crossman,  
Davis,  
Doty,  
Eck,  
Fuller,  
Goodrich,  
Harris,

Mr. Horton,  
Hubbard,  
Huston,  
Hutchinson,  
Ingersoll,  
Jewell,  
Lee,  
Mandigo,  
Miller,  
Millington,  
Mitchell,  
Norton,  
Osborn,  
Riford,

Mr. Riopelle,  
Romeyn,  
Shaw,  
Sheldon,  
Shier,  
Stockbridge,  
Thompson,  
Walker,  
Walton,  
Weier,  
Wilcox,  
H. G. Williams,  
J. A. Williams,

41

Mr. Ingersoll moved to reconsider the vote by which the bill was lost;

Which motion prevailed.

On motion of Mr. Plimpton,

The bill was laid on the table.

On motion of Mr. Barnaby,

The House adjourned until to-morrow morning at 9 o'clock

---

*Lansing, Saturday, March 20, 1869.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Sheldon.

Roll called: quorum present.

Absent without leave: Messrs. Eaton, Gifford, Hubbard, Ingersoll and Ward.

Mr. Romeyn asked and obtained leave of absence for Mr. Eaton, for the day.

Mr. Kingsley asked and obtained leave of absence for Mr. Ingersoll, until Monday.

Mr. Stockbridge asked and obtained leave of absence for Mr. Gifford, for an indefinite time.

Mr. Osborn asked and obtained leave of absence for himself, until Wednesday.

The Speaker called the Speaker *pro tem.* to the chair.

#### PRESENTATION OF PETITIONS.

By Mr. O. Clark: remonstrance of Daniel Ball and 28 others, citizens of Chelsea, against the amendment of the charter of said village.

Referred to the committee on banks and incorporations.

By Mr. O. Clark: petition of the officers of the village of Chelsea, asking a revision of the charter of said village.

Referred to the committee on banks and incorporations.

By Mr. Hurlbut: memorial of E. O. Briggs, asking that the State refund the specific tax paid by the First National Bank of Paw Paw.

Referred to the committee on ways and means.

By Mr. Lane: memorial of J. H. Quackenbush and 185 others, asking the passage of House bill No. 288, being a bill to detach certain territory from the city of East Saginaw, and annex the same to the township of Spaulding and to the corporation of South Saginaw.

On motion of Mr. Lane,

The memorial was laid on the table.

By Mr. Yawkey: memorial of the mayor and citizens of East Saginaw, relative to House bill No. 288.

On motion of Mr. Yawkey,

The memorial was laid on the table.

By Mr. Miles: affidavit of L. B. Curtis and 6 others, in rela-

tion to an application to detach certain property from the city of East Saginaw, and to attach the same to the township of Spaulding and village of South Saginaw.

Mr. Miles moved that the affidavit be printed in the journal;

Which motion did not prevail.

On motion of Mr. Cameron,

The affidavit was laid on the table.

By Mr. Beall: petition of D. B. Reynolds, Isaac N. Gray and 45 others, citizens of Branch and St. Joseph counties, asking for the passage of a law to prevent the destruction of mink, muskrat and raccoon within said counties, at certain seasons of the year.

Referred to the committee on State affairs.

#### REPORTS OF STANDING COMMITTEES.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to amend sections 9, 10, 11, 12, 13 and 14, of chapter 39, of the compiled laws, relative to the support of poor persons by counties,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. D. WILLIAMS, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on manufactures:

The committee on manufactures, to whom was referred

A bill to repeal section 19, of chapter 63, of compiled laws, the same being in relation to taxing manufacturing companies,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,